Thursday
13th May, 1954

सत्यमेव जयते

PARLIAMENTARY DEBATES

HOUSE OF THE PEOPLE

OFFICIAL REPORT
(Part I- Questions and Answers)

VOLUME I, 1954

Sixth Session

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PARLIAMENT SECRETARIAT
NEW DELHI

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Dated 01.12.2014

THE PARLIAMENTARY DEBATES

(Part I—Questions and Answers)

OFFICIAL REPORT

HOUSE OF THE PEOPLE

Thursday, 13th May, 1954

The House met at a Quarter Past Eight of the Clock

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

AIRLINKS

***2457. Shri Radha Raman:** Will the Minister of **Communications** be pleased to state:

(a) the number of new airlinks established during the year 1953-54; and

(b) the countries with which these links have been established?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). A direct airlink was established between Delhi and Kabul in place of the service on the circuitous route Bombay-Karachi-Zahidan-Kandahar.

Shri Radha Raman: May I know if some more airlinks are going to be established during the current financial year?

Shri Raj Bahadur: It is proposed that after the receipt of super-constellations by the Air-India International, we shall establish one service running between Bombay, Colombo and Singapore, and another between Bombay, Calcutta, Bangkok, Hong Kong or Manila and Tokyo.

Shri Bansal: May I know if this line to Kabul touches any air port *en route* in Pakistan and if we have got the right of cabotage?

Shri Raj Bahadur: On the route to Kabul, we touch Lahore which is in Pakistan. We do not exercise traffic rights for this particular service.

INCOME DURING PUJA TRAVEL

***2458. Shri K. P. Sinha:** Will the Minister of **Railways** be pleased to state:

(a) the total income derived by the Eastern Railway during the Puja of 1953;

(b) the number of days taken into account for the calculation of income from Puja travels; and

(c) how the Puja travel income of 1953 compares with that of the previous year?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) to (c). Information asked for is not available, as Railways do not compile separate statistics of the income derived on particular occasions like the Durga Puja.

RADIO WIND-FINDING STATIONS

***2459. Shri S. C. Samanta:** Will the Minister of **Communications** be pleased to state:

(a) how many radio wind-finding stations have been established;

(b) the location of the stations; and

(c) how many such stations are proposed to be established in the near future?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). Three for regular observations at New Delhi, Poona and Dum Dum and three for occasional observations on an experimental basis at Bamrauli, Nagpur and Madras.

(c) 4 more stations are proposed to be established during the next 3 years.

Shri S. C. Samanta: May I know whether co-ordination with the Air Force has been asked for and complied with?

Shri Raj Bahadur: The Air Force maintains its own observatories. There is some difference in the system of working. They make only one observation per day, we make two. Of course, information when necessary may be exchanged.

Shri S. C. Samanta: May I know whether high altitude weather conditions are observed?

Shri Raj Bahadur: We got from the disposals stock what is known as 'Baby maggie' type of radar, an equipment which could give us data about 25,000 to 30,000 feet above the ground. Now we are using radio theodolites which give us data about 50,000 to 60,000 feet above the ground.

Shri S. C. Samanta: May I know, when these stations will work in full capacity, whether storm detecting radar stations will not be necessary?

Shri Raj Bahadur: This is a matter which we shall decide on the basis of the technical advice which we get from the experts.

WIRELESS SET-UP ON RAILWAYS

***2460. Shri Muniswamy:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the Railway Board has issued direction regarding the formation of a wireless branch (both technical and traffic) at the time of the inception of wireless communication branch on the Indian Railways;

(b) if the answer to part (a) above be in the affirmative, the direction issued regarding the wireless set-up;

(c) whether the same has been followed uniformly by all the Railways; and

(d) if not, which are the Railways that have not carried out the directions?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, Sir.

(b) A statement showing the standard designations of wireless staff (both technical and traffic) employment of which was suggested for the formation of Wireless Branch on Railways is laid on the Table of the House. [*See* Appendix X, annexure No. 1.]

(c) and (d). Information is being collected and will be laid on the Table of the House in due course.

Shri Muniswamy: May I know what changes have been made in the wireless circuits after the regrouping of the railways?

Shri Alagesan: These directions were given much earlier. The same holds good even after regrouping.

Shri Muniswamy: May I know in how many stations low-power wireless sets have been installed in the Southern Railway?

Shri Alagesan: I think I should ask for notice.

सरदार ए० एस० सहगल : क्या यह सच है कि वायरलेस को हर गाड़ियों में फिक्स करने पर आप की गाड़ियों में जो एक्सीडेंट होते हैं वह कम हो जावेंगे ?

श्री अलगेशन : मैं नहीं कह सकता ।

NUTRITION ADVISORY COMMITTEE REPORT

***2462. Th. Lakshman Singh Charak:** Will the Minister of **Health** be pleased to state:

(a) whether the report of the Food Fortification Sub-committee of the

Nutrition Advisory Committee set up in 1951 has been submitted to Government; and

(b) if so, whether a copy thereof will be placed on the Table of the House together with the recommendations accepted by Government?

The Deputy Minister of Health (Shrimati Chandrasekhar): (a) Yes.

(b) Copies of the report of the Sub-Committee have been placed in the Library of the House. The recommendations are under consideration.

ASSISTANT INSPECTORS

***2463. Shri Raghavaiah:** Will the Minister of **Communications** be pleased to state:

(a) whether there is any proposal to recruit Assistant Inspectors in the Postal Department; and

(b) if so, whether the recruitment will be made from among the departmental candidates or the posts will be thrown open to outsiders as well?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes.

(b) The matter is under consideration.

Shri Raghavaiah: May I know whether Government consider that in the interests of maintaining efficiency in the administration, there should be recruitment from among the departmental candidates and not from outsiders?

Shri Raj Bahadur: It is exactly in the interests of efficiency that we want to introduce this cadre. The matter whether it should be exclusively reserved for the departmental candidates or thrown open to outsiders also is under consideration. As a matter of fact, the criterion for determining efficiency is not whether they come from outside or from the department, but the merit of the candidates themselves.

Shri Raghavaiah: May I know whether the Government is aware of the fact that recruitment from among the departmental candidates will show that their past experience will also count?

Shri Raj Bahadur: The House might be aware that so far as postal services are concerned, apart from the clerical cadre and the Indian Postal Service Class I, there is no direct recruitment for other cadres and the intervening cadres like inspectors, superintendent, post offices class II, etc. are filled by departmental promotions. As such, it is necessary to have more direct recruitment from outside also.

Mr. Speaker: Next question.

Shri Raghavaiah: One question, Sir.

Mr. Speaker: I am going to the next question. It is no use interfering too much in administrative details.

SUGAR-CANE CULTIVATION IN BIHAR

***2464. Shri Bibhuti Mishra:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the Central Sugar-cane Committee is aware that almost all the cane varieties so far introduced in North Bihar have become diseased;

(b) whether the Committee has suggested any new variety suitable for the soil of North Bihar; and

(c) the name of the variety?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) It is not a fact that all varieties of sugarcane have become diseased. The varieties under general cultivation in North Bihar during 1952-53 were Co. 313, Co. 513, B. O. 10, B. O. 11, Co. 453, B. O. 21, B. O. 22 and B. O. 24. Out of these B. O. 11 and Co. 453 only have been affected in this area.

(b) and (c). Yes. Varieties B. O. 10, B. O. 3, B. O. 17 and B. O. 14 have been distributed in this area. Other promising varieties are being tested and will be released if found suitable.

श्री बिभुति मिश्र : मैं जानना चाहता हूं कि बी० १०, बी० ११ और ४५३ तो कंडैम हो गये । जो दो और वैराइटीज बत-

लाई हैं उनमें इस साल कितने खेत आबाद हुये हैं ?

डा० पी० एस० देशमुख : यह तो स्टेट गवर्नमेंट से मालूम करना पड़ेगा। हमारे पास यह इन्फारमेशन नहीं है।

श्री विभूति मिश्र : यह जो नयी वैराइटीज मंत्री जी ने बतलायीं, उन नई वैराइटीज के बीज किसानों को नहीं मिले और खेत आबाद नहीं हो पाये, क्या यह सही है ?

अध्यक्ष महोदय : आपका सवाल क्या है ?

श्री विभूति मिश्र : यह जो वैराइटीज हैं यह पूसा इंस्टीट्यूट में ही रह गयीं, किसानों को नहीं मिलीं।

खाद्य तथा कृषि मंत्री (श्री किदवई) : आपका यह सवाल हम बिहार गवर्नमेंट के पास भेज देंगे कि वह अपना फर्ज अच्छी तरह अदा नहीं करती।

Shri Heda: In view of the fact that the yield in sugarcane is very low in these parts, will the Government also consider the increase of yield when they are deciding upon different varieties of seeds?

Dr. P. S. Deshmukh: Yes, Sir. We are trying to take up, next to paddy intensive and better cultivation of sugarcane also.

NITROFURANS

*2465. **Sardar A. S. Saigal:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that a new chemical known as nitrofurans has been discovered;

(b) whether it is a fact that tests have proved it effective against such diseases **as mestitis in the** case of cattle etc.; and

(c) whether Government propose to conduct similar tests on the cattle in India?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes. An important group of new chemicals called nitrofurans has been developed in the United States of America.

(b) The new drugs of this group have given promising results in the treatment of diseases of both man and animals. Some advantages mentioned in the use of these nitrofurans are absence of untoward side effects, and no drug resistance is developed and that their action is more specific against the disease producing agents.

(c) Yes, as supplies of the drug become available.

सरदार ए० एस० सहगल : अभी तक भारत के चौपायों पर इस कैमीकल का प्रयोग हुआ है या करने का विचार सरकार कर रही है ?

डा० पी० एस० देशमुख : सरकार का विचार तो है। मगर यह काफी क्वांटिटी में हमें नहीं मिल रहा है। मिलने के बाद हम इस्तैमाल करेंगे।

REGIONAL CO-OPERATIVE TRAINING COLLEGES

*2468. **Shri S. N. Das:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) what steps have been taken so far for the establishment of five regional colleges for the training of intermediate grade personnel for co-operative institutions and co-operative department;

(b) where these colleges are going to be located;

(c) what will be the capacity of each; and

(d) what will be the recurring and non-recurring expenditure thereon?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Arrangements for the organisation of the Regional Training Centre at Madras for the Southern Zone and the expansion of existing facilities at Poona for the Western Zone are nearing completion. Proposals for the early organisation of training Centres for the other regions are being considered.

(b) Two of the Colleges will be located at Madras and Poona. The location of the others has not yet been finally decided.

(c) Each regional college is expected to train about 40 to 45 candidates per year.

(d) The approximate expenditure on one regional Training Centre has been tentatively estimated at Rs. 10,000 annually non-recurring and about Rs. 83,000 recurring.

Shri S. N. Das: Arising out of the answer to part (b) of the question, may I know the proposals which are under consideration?

Dr. P. S. Deshmukh: The places under consideration seem to be Burdwan, Pusa, Meerut, Hastinapur and so on, but there is nothing definite.

Shri S. N. Das: May I know whether in these institutions trainees recommended by the State Governments would only be admitted or private individuals will be entitled to get admission there?

Dr. P. S. Deshmukh: I do not think these things have been decided yet.

Shri T. S. A. Chettiar: May I know whether these co-operative colleges are going to be started as separate entities or as sections in existing colleges? In which place is it proposed to start this college in Madras?

Dr. P. S. Deshmukh: I would like to have notice of the question.

Shri L. N. Misra: From the *Report of the Progress of the Five Year Plan* it appears that there is a College already going on in Poona. May I know how co-ordination between the College already in existence and the proposed college is to be maintained?

Dr. P. S. Deshmukh: I could not follow the question. The Poona training college has been in existence for a long time.

Shri S. N. Das: May I know whether these colleges will be financed only by the Central Government or whether the States will also participate, and if so, to that extent?

Dr. P. S. Deshmukh: I think the whole scheme is proposed to be and will be financed by the Reserve Bank of India.

तिलपत को रेल गाड़ियां

*२४६९. **श्री राम दास** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे :

(क) २८ मार्च, १९५४ को भारतीय वायु सेना के तिलपत में हुए प्रदर्शन के सिलसिले में कितनी विशेष रेलगाड़ियां चलाई गई थीं ; और

(ख) इन गाड़ियों से सरकार को कितनी आय हुई ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) A total of 14 special trains were run—7 on the outward journey from New Delhi and 7 on the return journey from Faridabad. On the outward journey, one of the special trains terminated at Tughlakabad and on the return journey, one special train terminated at Nizamuddin.

(b) Rs. 20,157/2/-.

Shri Ram Dass: May I know the total number of tickets issued and the accommodation provided?

Shri Alagesan: The total number of passengers booked from New Delhi, Delhi Main and Nizamuddin was 21,520.

Shri A. M. Thomas: May I know whether the report which appeared in the papers that the Railway Administration never informed the Delhi State authorities with regard to their intention to run special trains is correct, and if so, what are the reasons for the same?

Shri Alagesan: Am I to understand that the Delhi State authorities were kept in the dark as to the running of the special trains? No, Sir.

Shri Ram Dass: My question as to the accommodation provided has not been answered. He has only said that so many tickets were issued, but how many seats were provided?

Shri Alagesan: There were, besides the special trains, several normal trains also, but as the House is aware, owing to the large rush of people, it was true that all these trains were overcrowded.

Shri Nambiar *rose*—

Mr. Speaker: A long statement was made in this House on the subject. I do not think any further question is necessary.

CHARGEMEN IN GOLDEN ROCK WORKSHOP

*2470. **Shri Veeraswamy:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that a Committee was appointed by the Railway Board to go into the question of upgrading chargemen in the Golden Rock Workshop;

(b) if so, what are the recommendations of that Committee; and

(c) whether the recommendations of the Committee have been implemented?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No. But a Deputy Chief Mechanical Engineer of the eR-E. I. Railway was deputed to examine the question.

(b) The Deputy Chief Mechanical Engineer recommended upgrading from 'D' to 'C' grade of all Chargemen who either supervised independently skilled workmen and exercised technical and quality control over processes, or were in charge of a very large body of unskilled workmen, or of highly technical work, or were in practice in independent charge of their work.

(c) 45 posts have been upgraded in accordance with this recommendation, and the upgrading of 11 more posts is under consideration.

Shri Veeraswamy: May I know whether the Railway Ministry has received any representation from the chargemen who have not been so far upgraded and if so, what action has been taken on the representation?

Shri Alagesan: I think the reply has already been given. Forty-five posts have been upgraded. The upgrading of eleven posts is under consideration. It will be finalised soon.

Shri Nambiar: May I know whether it is a fact that in several cases, wherever upgrading was done, these posts were not confirmed for several years?

Shri Alagesan: That I cannot say offhand.

CHITTARANJAN LOCOMOTIVE FACTORY

*2472. **Shri H. N. Mukerjee:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that eight British technicians are joining the Chittaranjan Locomotive Factory under the Technical Co-operation Scheme of the Colombo Plan;

(b) if so, what are the terms of their appointment; and

(c) whether qualified Indian technicians were not available for the jobs in question?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes. 11 Technicians have joined the factory.

(b) Their appointment is for one year, but may be extended to two years. The Government of the United Kingdom bears the full cost of salaries and allowances and passages to India and back. The Government of India provides them with free furnished accommodation and free travel facilities in India.

(c) No.

Shri H. N. Mukerjee: May I know if it is a fact that the terms of three British experts who came to Chittaranjan some time ago have been recently extended for two years?

Shri Alagesan: That is true. They were taken in the year 1952-53 and they were willing to work the next year also, and therefore their term has been extended.

Shri H. N. Mukerjee: May I know the number of foreign technicians in the Plan and Progress Department of Chittaranjan and their proportion to the total number of technicians working there?

Shri Alagesan: I may not be able to give the proportion but these are experienced, practical foremen who have been drafted here to show to our workmen how to get the most out of the various items of machinery that have been installed in the Chittaranjan Workshop. Their number is very small.

Shri H. N. Mukerjee: Is Government aware of a feeling among Indian technicians working in Chittaranjan that they are being discriminated against in regard to such appointments as are filled in by foreigners?

The Minister of Railways and Transport (Shri L. B. Shastri): I am afraid that is not correct. In fact, we require the services of a few demonstrators and rate-fixers for some time more and we have, therefore, thought it fit to ask for their services. Although their period has been fixed for two years, they will not stay on beyond one year unless it is found extremely essential to continue their services for some time more.

Dr. Ram Subhag Singh: In reply to part (c) of the question the hon. Deputy Minister said "No". Then, what was the necessity of inviting those technicians?

Shri Alagesan: Part (c) of the question was whether qualified Indian technicians were not available for the jobs in question. The answer is "No". They are not available.

Dr. Ram Subhag Singh: But you said "No".

Mr. Speaker: Let him not carry on any talk with the Minister.

Shri Bansal: May I know if Government is aware that the overheads in Chittaranjan are very high and whether the help of these technicians is being sought in order to bring down these overheads?

Shri Alagesan: That is a larger question. The overheads at present are high. That is because we have not reached the full target of production. As far as employment of these technicians is concerned, they have been brought here, as I said, to get the most out of the plant.

INLAND FISHERIES

*2473. **Shri Sanganna:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether any scheme for research on the bionomics and nutrition of fish "fry" has been taken up by Government in collaboration with the Government of Orissa, for the development of inland fisheries; and

(b) if so, with what result?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Scheme for research on bionomics and nutrition of carp fry is being implemented by the staff of the Central Inland Fisheries Research Station with a certain amount of collaboration with the Government of Orissa. The State Government have provided laboratory accommodation and experimental nurseries and pond and have given facilities for testing, on field scale, of results achieved in the laboratory.

(b) As a result of research work done under the scheme, it has been possible to bring about a very marked reduction in the rate of mortality of carp fry.

Shri Sanganna: May I know whether any advantage has been taken of the TCA equipment and Canadian assistance in the implementation of this secheme?

Dr. P. S. Deshmukh: I would like to have notice of the question.

Shri Sanganna: May I know the area of swampy land reclaimed and converted into fishery farms, and the quantity of fish produced, from the date of implementation of this scheme?

Dr. P. S. Deshmukh: As I stated, the results are encouraging. But I have not the exact quantity of fish produced.

Shri Sanganna: May I know in what way the interests of traditional fishermen are safeguarded under this scheme?

Dr. P. S. Deshmukh: I could not at the moment say.

Shri Barman: What was the mortality rate of carp fry in the beginning, and to what extent has it been brought down as a result of this scheme?

Dr. P. S. Deshmukh: An exceedingly high rate of mortality was present, and it was going up to ninety-seven per cent.

Mr. Speaker: The hon. Member wants to know also the extent to which it has been brought down.

Dr. P. S. Deshmukh: I could not say at the moment.

INDIAN AIRLINES CORPORATION

*2474. **Shri Gidwani:** Will the Minister of **Communications** be pleased to state what decisions were arrived at in the meeting of the Board of the Indian Airlines Corporation held on the 14th April, 1954 regarding the abolition of the line system and integration of Air services?

The Deputy Minister of Communications (Shri Raj Bahadur): The Corporation had a meeting on the 14th April 1954 at which it decided to integrate all the lines in a single step instead of evolving a regional set up first to be replaced later by a more integrated pattern as had been planned earlier. The Corporation also decided to have a strong Central Organisation to enable the headquarters to assume direct responsibility for initiating and implementing proposals designed to secure uniformity in important matters of policy, programme and procedure.

Shri Gidwani: May I know whether the question of the consecutive downward trend in passenger and freight earnings of the Corporation and the loss sustained thereby was considered, and if so, the steps being taken by the Board to check the same?

Shri Raj Bahadur: The Corporation has constantly under review the trends of traffic, and takes such steps to stop the downward trend as it possibly can.

Shri Gidwani: Is it a fact that the Board also considered the question of purchasing new aircraft, and there was a difference of opinion among the members regarding the type of aircraft that should be procured?

Shri Raj Bahadur: The choice of suitable aircraft for our purposes is not an easy one, and if there has been a difference of opinion amongst the experts and amongst knowledgeable persons in the country, it is not surprising at all.

Shri Velayudhan: The hon. Minister just now stated that a strong Central Organisation to supervise the decisions arrived at at this meeting will be set up. Is it apart from the organisaton now in existence?

Shri Raj Bahadur: No. The Corporation has got a strong Central Organisation of its own. There is no question of setting up any other organisation parallel to it.

Shri Gidwani: May I know whether the General Manager and other senior staff have been appointed, or the posts still remain vacant?

Shri Raj Bahadur: In view of the importance of the work in the formative stages, it has been considered necessary that the chief executive head of the organisation should continue to be the Chairman himself, and as such, the post of the General Manager has not been filled, and the duties are being carried on by the Chairman.

TRAINEES OF FLYING CLUBS

*2474-A. **Shri Shobha Ram:** Will the Minister of **Communications** be pleased to state what steps Government are taking to absorb the trainees of the flying clubs in India?

The Deputy Minister of Communications (Shri Raj Bahadur): I lay on the Table of the House, a statement giving the requisite information. [*See* Appendix X, annexure No. 2.]

Shri Shobha Ram: May I know on what basis the candidates are selected for the Dakota training, and who the selecting authority is?

Shri Raj Bahadur: They are selected by the Director-General, Civil Aviation, and, of course, by the technical experts, on the basis of their suitabilty for flying.

Shri Shobha Ram: What is the number of such trainees, and in how many places is the training imparted?

Shri Raj Bahadur: As I said about forty-five have already received the Dakota endorsement training, out of whom, fourteen have been absorbed and only thirty-one remain to be absorbed. As declared by the hon. Minister of Communications on the floor of the House during the course of the debate on the Demands for Grants, they are to be absorbed by the Indian Airlines Corporation. There are a hundred 'B' pilots, who will be absorbed as and when vacancies arise, subject to the condition that they also obtain the Dakota endorsement.

FOOD POSITION IN TRIPURA

*2476. **Shri Dasaratha Deb:** (a) Will the Minister of **Food and Agriculture** be pleased to state how is the general food situation in Tripura this year?

(b) Have Government built any food-stocks in Tripura this year?

(c) If so, what amount of paddy and rice has been stocked so far?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) The general food situation in Tripura this year is quite satisfactory.

(b) Yes, Sir.

(c) On 10th April, 1953, the Government of Tripura had a stock of 5,400 tons of rice and 7,000 tons of paddy.

Shri Biren Dutt: Are Government aware that scarcity is prevailing there in some areas like Kailashar and Dharmanagar?

Shri M. V. Krishnappa: The general food situation was asked, and we have said that it is quite satisfactory. If there are some scarcity pockets there they have got enough of stocks with them to meet the requirements of those scarcity pockets.

AGRICULTURAL COLLEGE IN PUNJAB

*2477. **Shri Hem Raj:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the Punjab Government have approached the Central Government for any financial assistance for the setting up of an agricultural college in that State; and

(b) if so, with what result?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes.

(b) The Punjab Government have been offered a loan to the extent required but their reaction in the matter is still awaited.

Shri Hem Raj: May I know whether a grant was requested, but only a loan has been given?

Dr. P. S. Deshmukh: Yes, they had asked for a grant. But since we are not in a position to give any grant, we have offered a loan.

Shri Hem Raj: On what basis are grants made in such cases to the State Governments?

Dr. P. S. Deshmukh: I think it was only in the exceptional case of Orissa that we gave a grant. Otherwise, we have not given any grant to any other State.

Shri D. C. Sharma: May I know whether the Punjab Government have indicated the place where the college will be located?

Dr. P. S. Deshmukh: Probably, my hon. friend knows better

Shri D. C. Sharma: Does not my hon. friend know this?

Dr. P. S. Deshmukh: A permanent building for a college at Ludhiana.

SHIVA RAO COMMITTEE

*2478. **Shri Raghuramaiah:** Will the Minister of Labour be pleased to refer to the answer given to starred question No. 1900 asked on the 19th April, 1954 and state:

(a) whether the Committee set up to review the work on the future of Employment Exchanges in India has submitted its report; and

(b) if so, whether a copy of the Report would be laid on the Table of the House?

The Minister of Labour (Shri V. V. Giri): (a) Yes.

(b) A copy has since been laid on the Table of the House.

Shri Raghuramaiah: May I know whether Government have taken any decision on the various recommendations made in that report, and if not when they are likely to take a decision?

Shri V. V. Giri: The report has just now been placed on the Table of the House. Government have to study the implications of that report.

Shri Raghuramaiah: Since the report affects the States vitally both in the matter of day to day management of the Exchanges and the method of recruitment to the State services, may I know whether the States would be consulted before a decision is taken by Government.

Shri V. V. Giri: Certainly.

Shri Bansal: May I know whether it is proper for Government to issue the report in the Press just on the morning of the same day on which a question has to be answered in the House?

Shri V. V. Giri: They have done it at the earliest possible moment.

Dr. Ram Subhag Singh: May I know whether Government propose to place the Employment Exchanges on a permanent footing?

Shri V. V. Giri: That is one of their recommendations.

रेल दुर्घटना

*२४७९. **श्री बी० पी० सिंह :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि २३ अप्रैल, १९५४ को या उसके लगभग जमालपुर में एक कर्मचारी-गाड़ी के साथ दुर्घटना हो गई ; तथा

(ख) यदि हां, तो दुर्घटना के क्या कारण थे ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) At about 7-10 hours on 22nd April, 1954, while No. 1 Up Sultanganj-Jamalpur Workmen's train was entering Jamalpur station, its engine and a water tank and 2 bogies next to it dashed against the leaf of a gate.

(b) The accident was caused by the gate leaf fouling the running line as a result of a bump previously received by it from a shunting engine.

श्री बी० पी० सिंह : क्या इस सम्बन्ध में जिस अधिकारी के जरिये से यह दुर्घटना हुई है उसके विरुद्ध कोई जांच की गई है ?

रेलवे तथा परिवहन मंत्री (श्री एल० बी० शास्त्री) : जी हां, जांच की गई है ।

श्री बी० पी० सिंह : यह जो दुर्घटना हुई है उसमें किसी की मृत्यु भी हुई है ?

श्री एल० बी० शास्त्री : जी नहीं, किसी की मृत्यु नहीं हुई ।

श्री बी० पी० सिंह : क्या सरकार को मालम है कि इसी प्रकार की दूर्घटना ८ मार्च को घोरघाट में हुई थी और उस में एक कांग्रेसमैन की मृत्यु हो गई थी ?

Mr. Speaker: The hon. Member refers to another accident, I think.

श्री बी० पी० सिंह : इसी प्रकार से आठ मार्च को एक रेलवे दुर्घटना हुई थी, क्या सरकार को मालूम है कि उसमें एक कांग्रेसमैन की मृत्यु हो गई थी ?

Mr. Speaker: The hon. Member is referring to some other accident, which is not the subject-matter of this question.

Shri L. N. Mishra: May I know whether the Railway Accidents Enquiry Committee headed by the Parliamentary Secretary to the Minister of Railways and Transport has submitted its report, and if so, its chief recommendations?

Shri L. B. Shastri: Some staff have been held responsible.

Shri L. N. Mishra: No. I want to know whether the Enquiry Committee headed by the Parliamentary Secretary has submitted its report.

Shri L. B. Shastri: We have just received their report, I think a week back, and it is difficult for me to say anything on the recommendations of that Committee.

श्री आर० एन० सिंह : मैं जान सकता हूं कि रेलवे में इतनी दुर्घटनायें होने का प्रमुख कारण क्या है. ?

Mr. Speaker: He puts too general a question. It is also very wide.

श्री एल० बी० शास्त्री : दुर्घटनायें तो ज्यादा नहीं होती हैं, लेकिन अखबारों में आजकल ज्यादा निकलने लगीं हैं, इस लिये वह ज्यादा मालूम होती हैं ।

WATER SCARCITY IN RAJASTHAN

*2480 **Shri Bheekha Bhai:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that there has arisen a serious water scarcity in Jodhpur and other Divisions of Rajasthan;

(b) if so, what steps have been taken or are being taken by the Centre to mitigate the horrors of water scarcity; and

(c) whether it is a fact that a bucket of water is being sold at six annas?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) to (c). The information is being obtained from the State Government and will be laid on the Table of the House.

Shri Bheekha Bhai: Is it a fact that a newspaper by name *Jansatta* reported that due to scarcity of water, ladies have to wait for hours together in the city of Jodhpur.

Dr. P. S. Deshmukh: May I repeat the answer given by my hon. colleague, the Minister of Railways, that very often newspaper reports are exaggerated?

Shri Bheekha Bhai: May I know whether it is a fact……

Mr. Speaker: Order order. Let information be given. The hon. Member should not rely too much on newspaper reports.

HELICOPTERS FOR MAIL SERVICES

*2481. **Shri Janardhan Reddy:** Will the Minister of **Communications** be pleased to state:

(a) whether it is a fact that Government are considering a scheme to use helicopters for speeding up mail services to and from isolated areas not served by surface communications; and

(b) if so, the present stage of the proposal?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). The proposal is only in its preliminary stage of enquiries.

श्री जनार्दन रेड्डी : क्या मैं जान सकता हूं कि कोई एजेन्सी इस काम को करने के लिये तैयार हो गई है ?

श्री राज बहादुर : एक एजेन्सी जिसका नाम खम्बाटा इन्डस्ट्रीज़ लिमिटेड है, ने इस तरह का प्रस्ताव हमारे सामने पेश किया है कि इस काम के लिये हेलिकाप्टरों की सेवा ली जाये ।

श्री जनार्दन रेड्डी : मैं जान सकता हूं कि क्यों सरकार इस काम को अपने हाथ में नहीं ले सकती ?

श्री राज बहादुर : अभी सारी चीज़ विचाराधीन है । इसके अतिरिक्त जो खर्चा पड़ता है उसका ब्यौरा इस प्रकार है कि हैलीकाप्टर में १२ रुपये १० आने प्रति टन प्रति मील खर्चा पड़ता है और अभी जो फर्स्ट क्लास मेल ले जायी जाती है उसका खर्चा ३ रुपये प्रति टन प्रति मील पड़ता है और जो सैकिंड क्लास मेल ले जायी जाती है उसका खर्चा १ रुपया १२ आना प्रति टन प्रति मील पड़ता है । इस प्रकार उस में जो खर्चा है वह भी बहुत ज्यादा है ।

BOAT BRIDGE AT DHARIGHAT

*2482. **Shri Sinhasan Singh:** Will the Minister of **Transport** be pleased to refer to the answer to Unstarred Question No. 425 on the 22nd April, 1954 and state:

(a) whether any representation has been received from the Government of Uttar Pradesh that boat bridges be constructed on the River Ghagra at Dharighat; and

(b) if so, what decision Government have taken on this representation?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) This river crossing being on a National Highway it is the responsibility of the Central Government to construct the bridge and though it has not been possible to include the construction of a pucca bridge in the current Five Year Programme as an interim arrangement it has been decided to provide for a boat bridge in this Programme.

Shri Sinhasan Singh: May I know whether in reply to a similar question whether it was on a national highway or not, the Government gave the reply that there was no national highway there? If so, was that reply wrongly given?

The Minister of Railways and Transport (Shri L. B. Shastri): There was some confusion, no doubt, as this road did not come under the arterial national highway. But I would like to inform the hon. Member that this road is on the national highway, and the responsibility for the construction of bridges is ours.

Shri Simhasan Singh: May I know when these road bridges will be put up?

Shri Alagesan: We have asked for estimates and as soon as they are received, we propose to include the bridge for construction in the Plan period.

REMODELLING OF GUDUR RAILWAY STATION

***2483. Shri Ramachandra Reddi:** Will the Minister of **Railways** be pleased to state:

(a) whether the remodelling of Gudur Railway Station in Southern Railway has been taken on hand for execution in 1954-55; and

(b) if so, when it is likely to be completed?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). Remodelling of Gudur Railway Station has been included in the scheme of converting the Renigunta-Gudur Metre Gauge line into Broad Gauge, which is provided in the Works Programme 1954-55.

Shri Ramachandra Reddi: May I know whether adequate provision has been made for the passage of heavy vehicular traffic at this part of the railway line by way of provision of overbridges and sub-ways?

Shri Alagesan: When the conversion is undertaken, all that has to be taken into consideration.

Mr. Speaker: He wants to know whether the estimates include adequate provision for this.

Shri Alagesan: I may not be able to say that off-hand. But the object of converting it into broad gauge is to afford that facility.

Shri Ramachandra Reddi: Will the Minister make an enquiry into this matter?

Shri Alagesan: It is not a question of making any enquiry. If the hon. Member wants any particular information. I can give it.

Shri Ramachandra Reddi: That information I have asked for, whether provision has been made for construction of overbridges and sub-ways.

Shri Alagesan: Going into the detailed estimates?

Mr. Speaker: He wants to know whether provision for sub-ways and overbridges is part of the estimates.

Shri Alagesan: Yes, Sir I can furnish that.

RAILWAY TICKETS

***2484. Shri S. C. Samanta:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that a huge quantity of railway tickets collected from passengers after the completion of their journey are lying in heaps, for months together, in most of the stations on the Eastern Railway;

(b) if so, how the final annual accounting will be done;

(c) whether it is a fact that the collected tickets should be sent in a bag to the Head Office every day; and

(d) if so, the difficulties of doing so, and how they can be removed?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No, Sir.

(b) Does not arise.

(c) At large stations, collected tickets are sent daily in bags to the Accounts Office direct; at small stations, collected tickets are tied together in separate bundles for each station and sent daily to the Accounts Office properly sealed through the District or Divisional bag.

(d) No difficulty is being experienced in following the prescribed procedure.

Shri S. C. Samanta: May I know whether Government enquired whether six months before heaps of tickets were lying in stations between Howrah and Kharagpur?

Shri Alagesan: No such thing has come to our notice.

Shri S. C. Samanta: As it is within my personal knowledge, may I expect that Government will enquire about it?

Mr. Speaker: He gives the information from personal knowledge.

Shri Alagesan: Information perhaps was partly given even in the question. But our enquiry goes to show that there has been no such thing. But if the hon. Member wants, I can make further enquiries.

Mr. Speaker: When an hon. Member of this House says that he has personal knowledge of it he may be taken for his word that there is something to enquire.

The Minister of Railways and Transport (Shri L. B. Shastri): We will certainly enquire.

Shri S. C. Samanta: I saw them with my own eyes.

Mr. Speaker: He will make enquiries.

LIAISON OFFICERS

***2485. Shri Gidwani:** Will the Minister of **Communications** be pleased to refer to starred question No. 404 regarding Evacuee Savings Bank Accounts answered on the 25th February, 1954 and state:

(a) whether the Liaison Officers have commenced their work; and

(b) if not, the reasons therefor?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) No.

(b) The officers who were selected as Liaison Officers, subsequently declined the offer. Others are being selected.

TRANSPORT OF CEMENT AND COAL

***2486. Shri Bibhuti Mishra:** Will the Minister of **Railways** be pleased to state whether it is a fact that in spite of efforts made by Railways in supplying wagons for carrying commodities for North Bihar, frequent booking restrictions for various reasons in movement of cement and coal etc., have interrupted further progress?

The Deputy Minister of Railways and Transport (Shri Alagesan): Movement of coal during March and April, 1954, taken together, was slightly in excess of the quota but in the case of cement, stone-chips & pea-gravels, Road and coal tar and Bitumen, the movement has been less than the quotas mainly due to the river conditions having adversely affected the ferry capacity.

श्री विभूति मिश्र : क्या सरकार मड़आदी स्टेशन की कोयला और सीमेंट को नार्थ बिहार के लिये सप्लाई करने की कैपेसिटी बढ़ायेगी ?

रेलवे तथा परिवहन मंत्री (श्री एल० बी० शास्त्री) : जी हां, हम इस मामले को देख रहे हैं और अभी हाल में बिहार के सप्लाई मंत्री, तीन, चार रोज़ हुये, आये थे और उनसे हमने बातचीत की है, और हम इस मसले पर विचार करेंगे ।

श्री विभूति मिश्र : क्या मंत्री जी को मालूम है कि नार्थ बिहार के साथ साथ नैपाल का भी कोयला इसी रास्ते से जात है । वह भी कोयले के मामले में काफी कठिनाई में हैं । क्या सरकार उनको भी कोयला देने की व्यवस्था पर विचार करेगी ?

श्री एल० बी० शास्त्री : जब हम विचार करेंगे तो सभी बातों पर विचार करेंगे ।

Pandit D. N. Tiwary: In view of the chronic difficulty caused by shortage of coal and cement etc. in North Bihar, will Government consider the proposal of transhipping coal and cement from Mokama Ghat and diverting railway coal through other channels?

Shri Alagesan: That information was given already by me in the statement that I read while replying to a motion calling attention to this matter.

Pandit D. N. Tiwary: I wanted to know whether railway coal would be booked....

Mr. Speaker: Order, order. The hon. Member has made a suggestion. I am sure they will take that into consideration.

Shri L. B. Shastri: We are already working according to that, but still there are difficulties.

IRRIGATION PROJECTS IN ANDHRA

*2487. **Shri Raghuramaiah:** Will the Minister of **Transport** be pleased to refer to the answer given by the Minister of Planning to a supplementary question arising out of Starred Question No. 1744 asked on the 21st April, 1954 regarding Irrigation Projects in Andhra and state:

(a) whether the details referred to therein regarding the Regulator-cum-Road Bridge across the River Krishna have since been obtained;

(b) if so, what is the estimated cost of this project and when it will be taken up; and

(c) when it is expected to be completed?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) to (c). The project is estimated to cost Rs. 271 lakhs and its execution has already been authorised by the Andhra Government. Information as to the expected date of completion is not yet available.

Shri Raghuramaiah: May I know what proportion of that amount is to be borne by the Central Government and what proportion by the State Government?

Shri Alagesan: It has been calculated, and we have agreed to meet Rs. 40 lakhs out of the total expenditure.

Shri Raghavaiah: May I know the approximate date by which this is likely to be completed?

Shri Alagesan: I am afraid the question should be directed to the Andhra Government.

RAILWAY BRIDGES

*2488. **Shri Sinhasan Singh:** Will the Minister of **Railways** be pleased to state:

(a) whether Uttar Pradesh Government have recommended that the Railway bridges on Rivers Rapti and Rohin between Gorakhpur and Sahajanawa, be redecked and the by-pass road maintained; and

(b) if so, whether Government have decided to redeck these bridges and maintain the by-pass road?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No, Sir.

(b) Does not arise.

श्री सिहासन सिह : प्रश्न संख्या २४८२ का उत्तर देते हुये यह कहा गया कि उत्तर प्रदेश की सरकार ने दोहरीघाट पर नाव का पुल बनाने के लिये पत्र भेजा था । क्या मैं जान सकता हूं कि उसी पत्र में इस रेलवे ब्रिज के सम्बन्ध में भी जिक्र किया गया था कि इसका रिडेकिंग कर दिया जाय ?

रेलवे तथा परिवहन मंत्री (श्री एल० बी० शास्त्री) : जहां तक मुझे मालूम है इसका जिक्र नहीं है ।

श्री सिहासन सिह : तो क्या यह समझा जाय कि रिडेकिंग इसलिये नहीं हो रहा है कि उत्तर प्रदेश की सरकार ने इस के बारे में नहीं लिखा है, और अगर वह लिखेगी तो हो जायेगा ?

श्री एल० बी० शास्त्री : होगा या नहीं यह अलग बात है । लेकिन हम विचार तभी करेंगे जब वह लिख कर भेजें ।

श्री सिहासन सिह : क्या यह सही है कि उत्तर प्रदेश में २५ ऐसे ब्रीजेज ाई के जमाने

में डेक किये गये थे जिनमें २२ अभी तक कायम हैं और उनमें केवल यही तीन ब्रिजेज ऐसे हैं जिन पर से डेकिंग हटा दिया गया है ? इसका क्या कारण है ?

Shri Alagesan: I can give one information to the hon. Member. Even when these bridges were decked, they were not generally open to public traffic.

Mr. Speaker: They were not generally open to public traffic even when they were working.

श्री सिंहासन सिंह : क्या यह बाई पास रोड उस नेशनल हाई वे पर है जो सहजनवा से गोरखपुर जाती है, और क्या मैं जान सकता हूं कि उसको क्यों छोड़ दिया गया है ?

श्री एल० बी० शास्त्री : इस वक्त ब्यौरे की जानकारी तो मेरे पास नहीं है लेकिन अगर माननीय सदस्य मुझे लिखें तो मैं उनको उसके बारे में जवाब दे सकता हूं।

VETERINARY EDUCATION AND TRAININ

***2489. Shri S. C. Samanta:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the amount spent so far, out of Rs. 84.83 lakhs provided for veterinary education and training in the Five Year Plan;

(b) how many colleges and research stations have been established; and

(c) the number of colleges to train village-level workers to give first aid to cattle in India (Statewise)?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Rs. 58·93 lakhs.

(b) Three colleges (one each in U.P. and Madhya Bharat) have been two research stations (one each in U.P. and Madhya Bharat, have been established.

(c) Veterinary colleges in U.P. and PEPSU train village-level-workers to render first-aid to cattle. The Madhya Bharat Veterinary School at Shivpuri also imparts similar training. In Bhopal and Vindhya Pradesh such workers are trained through Extension Training Centres.

Shri S. C. Samanta: May I know whether the output of the number of graduates from these colleges which are working at present is sufficient for our needs?

Dr. P. S. Deshmukh: The graduates are not sufficient for our needs. But so far as the number is concerned. I would like to have notice. The main question refers only to the expenditure incurred under the Five Year Plan.

Shri S. C. Samanta: What steps have Government taken for bringing uniformity in the courses of studies in all the agricultural colleges in India?

Dr. P. S. Deshmukh: We are through the establishment of Agricultural Education Council, trying to approach the universities and secure uniformity in syllabuses etc.

Shri S. C. Samanta: As a large number of village-level workers is urgently needed for the implementation of schemes under the Five Year Plan, may I know whether Government is going to open more colleges for their training?

Dr. P. S. Deshmukh: We are aware of the need for these trained people and we are doing our best. In so far as veterinary trained personnel is concerned, we have asked some of the existing colleges to have double shifts.

Shri Muniswamy: May I know the factors that are taken into consideration before fixing the place where research stations are opened, and may I know why no research station has been opened in the south?

Dr. P. S. Deshmukh: All the requirements of the place and the existence of any institution nearabout, are the factors which are taken into consideration. I am sure the same treatment would be accorded to the southern portion of India also.

DRAINAGE AND FLOOD WORKS IN PUNJAB

***2489-A. Shri Hem Raj**: will the Minister of **Food and Agriculture** be pleased to state :

(a) whether the Punjab Government have approached the Centre for subsidy for drainage and flood works; and

(b) if so, with what result?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes, Sir.

(b) A grant of Rs. 5 lakhs in 1953-54 and of Rs. 3·5 lakhs in 1954-55 have been sanctioned.

Shri Hem Raj: In view of the growing menace of water-logging in canal irrigated areas and flood destruction by rivers, do the Central Government propose to adopt a liberal attitude in this regard?

Dr. P. S. Deshmukh: The Government has always adopted a very liberal attitude towards Punjab and its water-logging

NATIONAL PRODUCTIVITY CE

***2489-B. Shri Radha Raman** : (a) Will the Minister of **Labour** be pleased to state when the National Productivity Centre at Bombay is expected to be opened and what is its estimated cost?

(b) Are some experts from abroad expected to work in this Centre?

The Minister of Labour (Shri V. V. Giri): (a) The Centre is expected to start functioning during the current year. It is estimated that it will involve a non-recurring expenditure of Rs. 16,000/- and a recurring expenditure of Rs. 1,55,000/- per year.

(b) Yes.

Shri Radha Raman : May I know what is the nature of work that this centre is going to undertake and what will be its present strength of staff?

Shri V. V. Giri: It was recommended in the first Five Year Plan that the team of productivity experts should be invited under the technical assistance programme and that it should be charged with the responsibility of training sufficient number of officers from Government, industry and trade unions in developing methods of productivity.

Shri Radha Raman: May I know, in view of the answer given by the hon. Minister that foreign experts will be invited, what will be their strength for the period for which they are invited?

Shri V. V. Giri : To start with, the proposed centre will have one Director, four senior and two junior experts, of whom two experts should be Indians and the rest foreign.

Shri Mohiuddin: Has the productivity mission suggested that a small textile mill may be placed at its disposal for experiment and, if so, what action has Government taken?

Shri V. V. Giri: I would like to have notice of that question.

Mr. Speaker: There should be no noise. I am unable to hear. I have asked hon. Members a number of time not to carry on talks.

AIRCRASH NEAR DUM DUM

***2490. Shri Raghuramaiah**: Will the Minister of **Communications** be pleased to state:

(a) whether it is a fact that a non-scheduled cargo passenger plane crashed near Dum Dum Airport on the 30th April, 1954; and

(b) the loss of life and property involved?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Yes Sir.

(b) 5 persons lost their lives and the aircraft was destroyed by fire.

Shri Raghuramaiah: May I know whether it is not a fact that about two years ago, within a mile of the same spot, a night plane crashed, and may I know whether similar instances or reasons, in regard to these two accidents which have happened have been discovered?

Shri Raj Bahadur: It is very difficult to say that there is any similarity from the point of view of finding the causes of these two accidents.

ADVISORY LAND SETTLEMENT COMMITTEE

***2461. Shri Rishang Keishing:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that an Advisory Land Settlement Committee has been set up in Manipur;

(b) if so, what is the number of members on this committee, on what basis have they been selected, and what are their functions;

(c) how many times the Committee has met so far; and

(d) how far the work of the Committee has progressed?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes. A Committee called the Land Settlement Advisory Committee has beeen constituted by the Government of Manipur for the Manipur Valley.

(b) The Committee consists of seven members. The Committee advises the Deputy Commissioner in matters relating to the settlement of waste lands. One Electoral College Member from each of the four Tahsils of Manipur Valley and the two members of the House of the People from the State have been selected as members of the Committee. The Deputy Commissioner of Manipur has been appointed as the *Ex-Officio* Chairman.

(c) The Committee has so far met three times.

(d) About 200 acres of land have been allotted to Co-operative Societies on the advice of this Committee.

Shri Rishang Keishing: May I know whether the question of taking some hill-men living in the plains area of Manipur was ever considered at the time of the formation of this Committee, and if so, whether an affect has been given into it?

Dr. P. S. Deshmukh: The hon. Member is a member of this Committee, and I am sure he knows all the details. I think when the Committee was constituted, the point raised by the hon. Member must have been considered also.

Shri Rishang Keishing: What I want to know is whether the question of taking any hill-man living in the plain area was ever considered?

Dr. P. S. Deshmukh: The hon. Member can suggest it to the Committee and if it is found necessary, we will take steps.

Shri Rishang Keishing: Do the Government of Manipur generally accept the recommendations of this Committee?

Mr. Speaker: Order, order, that is ruled out.

Shri Rishang Keishing: May I know the acreage of waste-land reclaimed according to the recommendations of the Land Settlement Committee?

Dr. P. S. Deshmukh: As I have stated, we have allotted 200 acres of land to the co-operative societies on the advice of the Committee.

Mr. Speaker: That exhausts the question list.

Mr. Speaker: The hon. Prime Minister will read the reply.

Shri Nambiar: In view of the importance of the question, he may be asked to give the reply.

Mr. Speaker: I have asked him to read the reply. Who will put the question? It must be read.

Shri Damodara Menon: I will do so, Sir.

Short Notice Question and Answer

FRENCH POSSESSIONS IN INDIA

S.N.Q. No. 12. Shri Damodara Menon: (a) Will the **Prime Minister** be pleased to state whether the entire Commune of Naluthara of the French Indian Settlement of Mahe was liberated on the 8th May, 1954 and if so, who is now in charge of the administration there?

(b) Do Government intend to take over the administration of Naluthara and Cheru Kallai, the two enclaves of Mahe, reported to have been liberated from the French rule?

(c) Is it a fact that the French Indian Policemen at Naluthara were escorted to Mahe town through Indian territory by the Indian Police sometime before the liberation forces occupied Naluthara?

(d) Did the authorities in French Mahe request the Indian authorities for help for their successful evacuation of Naluthara?

(e) Will Government make a statement about the Freedom movement in the French possessions and their attitude towards the movement?

The Prime Minister (Shri Jawaharlal Nehru): (a) Yes. According to the Government's information the Municipal Commissioners and the members of the Legislative Assembly have formed a Committee for the administration of this enclave.

(b) The Government do not propose to take any unilateral action in the matter.

(c) and (d). Yes. The Government of India were requested by the Governor of Pondicherry to allow the transit of 29 French India Policemen through Indian territory from Naluthara and Mahe. The Governor was evidently anxious for the safety of this isolated Police Force. We saw no objection to the withdrawal of the French Police from Naluthara and escort was provided to prevent any untoward incident occurring during their passage through Indian territory, and to ensure that the French India Police did in fact go to Mahe.

(e) The attention of the Member is invited to my statements made in the House on the 25th March and 6th April, 1954.

The Government have sent their representatives to Paris, at the invitation of the French Government, with a view to negotiating in regard to the future of the French Establishments in India.

Shri Nambiar: May I know what is the position of similar enclaves in the vicinity of Pondicherry?

Shri Jawaharlal Nehru: All these enclaves are being put under the charge of local peoples or local committees.

Shri Nambiar: What is the sort of administration going on there; what is the Government like?

Shri Jawaharlal Nehru: I cannot give an exact answer. As the hon. Member knows these are villages and small townships and I suppose the old municipalities are functioning.

Shri M. S. Gurupadaswamy: May I know whether the local leaders of these areas requested the Government of India that these areas should be taken over immediately by the Indian Government?

Shri Jawaharlal Nehru: They had not, of course, actually made that particular request but that is their whole objective, when they asked for the immediate merger with the Government of India.

Shri Punnoose: As the Government of India was good enough to escort the French policemen and now that our representatives have gone to France, may I know whether the Government have asked the Governor of Mahe not to open fire on Indian citizens?

Shri Jawaharlal Nehru: In regard to the question of having escorted the departure of the French police from that area, it meant the exclusion of the French authority from that big area. That is a big enclave near Mahe and the policemen were there. In fact, the departure meant that the French authority was giving up that big area to the local public. We allowed them to do that and gave some protection to them to go across—it was Indian territory involved—about three-fourths of a mile. We did not want any incident to occur through that short distance.

Shri Raghuramaiah: Recently there have been a number of cases where the French police have pressed into Indian territory and committed a lot of arrests. May I take it that sufficient precautions are now being taken on our border for security arrangements?

Shri Jawaharlal Nehru: I do not know what the hon. Member means by precaution as if there is some grave danger of something occurring to India or to the Indian borders. There is no such danger. Naturally, precautions are taken for a variety of reasons but, not from the point of view of the hon. Member, that some aggression is going to take place on India.

WRITTEN ANSWERS TO QUESTIONS

CENTRAL FOREST DEPARTMENT

***2456. Shri Jhulan Sinha:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the Central Government exercise any sort of control or supervision on or give guidance to the State Forest Departments; and

(b) if so, the nature and extent thereof?

The Minister of Food and Agriculture (Shri Kidwai): (a) and (b). Yes; the Central Board of Forestry, constituted at Ministerial level, secures the necessary co-ordination between States in matters relating to forest management. The Inspector-General of Forests, advises the State in professional and technical matters whenever such advice is sought.

TELEPHONE EXCHANGES IN BIHAR

***2446. Th. Jugal Kishore Sinha:** Will the Minister of **Communications** be pleased to state:

(a) the number of telephone exchanges in Bihar for the opening of which estimates were sanctioned in 1953;

(b) the names of exchanges that have not been opened so far; and

(c) the causes of delay in opening them?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) 5.

(b) Sitamarhi, Chakradarpur and Forbesganj.

(c) Delay in getting rented accommodation at Sitamarhi and Forbesganj, and in acquisition of site for an Exchange building at Chakradarpur.

COTTON SAMPLES

***2467. Shri Vallatharas:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the number of samples of Indian cotton tested by the Cotton Technological Laboratory, Matunga, in 1952 and 1953;

(b) whether any investigations have been made to study the mixing of Indian cotton with regard to their fibre properties;

(c) if so, what are the results;

(d) how far research work and testing have been carried on towards establishing a universal standard for staple length regarding short staple Indian cottons; and

(e) what arrangements are being made to clear the accumulation of samples?

The Minister of Food and Agriculture (Shri Kidwai): (a) The number of samples of Indian Cotton tested by the Cotton Technological Laboratory are:—

1951-52	... 1925
1952-53	... 1974

(b) Yes.

(c) The results have been published in six technological bulletins issued by the Laboratory. These bulletins will be placed in the Library of the House.

(d) Considerable amount of research work has been done and large numbers of samples have been tested. The results of these have been published in the form of a bulletin, Series B. No. 48 entitled 'Staple Length of Cotton'. This information is, therefore, available for establishing staple length standards for short staple Indian cottons. A copy of this bulletin will also be placed in the Library of the House.

(e) To save time and to avoid accumulation of samples at the Laboratory, facilities have been provided by the Indian Central Cotton Committee for carrying out preliminary tests at the important breeding centres in the various cotton growing States. In 1952, as a temporary measure, a second shift was run to clear the large arrears that had accumulated at the Laboratory. Further, efforts are being made to expand and modernise the equipment of the Laboratory in order to cope with the increasing number of samples sent by the Breeders.

MISAPPROPRIATION IN WESTERN RAILWAY

***2471. Shri U. M. Trivedi:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that cases of misappropriation of Government money have been recently brought to the notice of the Western Railway administration regarding the signal equipments on Kandla-Deesa Section;

(b) whether all the stations on this Section have been equipped with signalling instruments; and

(c) if not, how many lack this arrangement and the reasons therefor?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No.

(b) and (c). The Token Instruments have not been put in yet. At 24 out of the 31 stations line clear is obtained through Telegraph instruments at present. The other 7 stations are flag stations where such instruments are not provided.

JANATA EXPRESS

***2475. Shri Damar:** Will the Minister of **Railways** be pleased to state:

(a) the reasons for abolishing "Janata Express" between Delhi and Bombay on the Western Zone; and

(b) whether Government propose to resume this service?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Due to lack of sufficient traffic.

(b) Yes, if and when there is sufficient traffic justification.

ग्राम पथ सहकारी योजना

५४७. श्री भक्त दर्शन : क्या परिवहन मंत्री यह बताने की कृपा करेंगे :

(क) ग्राम पथ सहकारी विकास योजना के अन्तर्गत विभिन्न राज्यों को कितनी कितनी धनराशि वितरित की गई ; और

(ख) उत्तर प्रदेश में ३१ मार्च, १९५४ तक योजना पर कितना व्यय हुआ ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) A statement giving the required information is attached. [*See* Appendix X, annexure No. 3.]

(b) Particulars of seven schemes, estimated to cost in all Rs. 293,450/-, one-third of which is to be met from the grant offered to the State Government, were furnished in accordance with the prescribed procedure by the Uttar Pradesh Government on 25th February 1954. Approval to these schemes was conveyed on the 12th March 1954. No expenditure against the grant has so far been reported by the State Government.

चीनी के उत्पादन में कमी

५४८. { **श्री राम जी वर्मा :**
श्री बी० मिश्र :

क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि गत वर्ष की तुलना में इस वर्ष चीनी का उत्पादन अनुमानतः कितना कम हुआ है ?

The Minister of Food and Agriculture (Shri Kidwai): The production of sugar during 1953-54 season upto 30th April, 1954, was 9·98 lakh tons as compared to 12·58 lakhs tons during the corresponding period of the previous year.

RAILWAY OVER-BRIDGE AT AMRAOTI

549. **Shri K. G. Deshmukh:** Will the Minister of **Railways** be pleased to state:

(a) when Government propose to undertake the construction work of over-bridge on railway lines near the Railway Station at Amraoti on the Central Railway; and

(b) whether the final survey of this bridge has been made?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The work is proposed to be undertaken during the year 1954-55.

(b) Not yet. Two alternative proposals are under scrutiny of the Madhya Pradesh Government.

मजदूरों की हड़तालें

५५०. **श्री एस० एन० दास :** क्या श्रम मंत्री यह बताने की कृपा करेंगे :

(क) कारखाना अधिनियम के अन्तर्गत आने वाले कारखानों तथा संस्थाओं में सन् १९५३ में कुल कितनी हड़तालें हुई ;

(ख) इन हड़तालों में कुल कितने मजदूरों ने भाग लिया ;

(ग) इन हड़तालों की अधिक से अधिक तथा कम से कम अवधि कितनी रही ; और

(घ) इन हड़तालों में कुल कितने जन-घंटों की क्षति हुई ?

The Minister of Labour (Shri V. V. Giri): (a) 609. The figure relates to work stoppages resulting from industrial disputes and, therefore, covers both strikes and lock-outs.

(b) 3,83,701.

(c) 233 days—maximum.
10 minutes—minimum.

(d) 2,790,704 man-days were lost. Information relating to man-hours is not available.

HOUSES FOR AGRICULTURAL LABOURERS

551. **Shri Bibhuti Mishra:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether any amount has been allotted in the Five Year Plan for constructing houses for agricultural labourers; and

(b) if not, whether Government have any scheme for the purpose?

The Minister of Food and Agriculture (Shri Kidwai): (a) and (b). No.

HOMEOPATHIC INSTITUTIONS

552. **Shri S. C. Samanta:** (a) Will the Minister of **Health** be pleased to state how many Homeopathic Colleges are going to be up-graded according to the recommendations of the Central Council of Health at Rajkot?

(b) Have the Government of West Bengal been requested formally to establish a model Homeopathic Institution in Calcutta?

(c) Who is going to select the institution in Calcutta?

The Minister of Health (Rajkumari Amrit Kaur): (a) Two.

(b) No. But the West Bengal Government have been asked to recommend one from among the existing Colleges for purposes of up-grading.

(c) The Government of India will select the institution on the recommendation of the West Bengal Government.

JAPANESE CABLE INVESTIGATION COMMITTEE

553. Shri S. C. Samanta: Will the Minister of **Communications** be pleased to state which of the recommendations of the Japanese Cable Investigation Committee have been adopted by Government?

The Deputy Minister of Communications (Shri Raj Bahadur): All the recommendations of the committee have been accepted by Government and are being given effect to.

COMMITTEE FOR LAND REFORMS

554. Shri S. C. Samanta: Will the Minister of **Food and Agriculture** be pleased to state:

(a) which States have sent their proposals to the Central Committee for Land Reforms since September, 1953;

(b) whether these proposals have been considered by the Committee;

(c) if so, the advice given; and

(d) how far the special Division for Land Reform studies has progressed and what are their general findings?

The Minister of Food and Agriculture (Shri Kidwai): (a) The Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Bill, 1953 was referred to the Central Committee for land reforms.

(b) Yes.

(c) A copy of the conclusions of the Committee is placed on the Table of the House. [*See* Appendix X, annexure No. 4]

(d) The Division for Land Reforms has maintained a continuous study of Land tenures in the various States and has commented upon the legislative proposals received by the Government of India from time to time. A review of the progress of land reforms by the Division has been published in the Planning Commission's publication "Progress of the Plan—January 1954".

GANGES BRIDGE AT KACHLA

555. Shri Raghubir Sahai: Will the Minister of **Railways** be pleased to state:

(a) when the decking of the Ganges Bridge at Kachla on the N.E Railway was sanctioned; and

(b) what progress has been made so far?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The estimate was sanctioned on 16th February, 1954.

(b) Material is being collected at site.

RECRUITMENT OF SCHEDULED CASTES AND TRIBES

556. Shri Dhusiya: Will the Minister of **Labour** be pleased to state:

(a) the number of Scheduled Castes and Scheduled Tribes candidates to whom appointments have been given in 1952-53 and 1953-54 through the Employment Exchanges in different States in Government offices and non-Governmental institutions and organisations; and

(b) what is the number of such employees appointed through the Employment Exchanges in the various Railways and the Railway workshops including the Chittaranjan Locomotive Factory?

The Minister of Labour (Shri V. V. Giri): (a) A statement is placed on the Table of the House. [*See* Appendix X, annexure No. 5.]

(b) 4,038 Scheduled Caste applicants and 278 Scheduled Tribe applicants have been placed in employment in Railways and Railway workshops during 1953-54. Information concerning Chittaranjan Locomotive Workshop is being collected and will be placed on the Table of the House in due course.

रेलवे को घाटा

५५७. श्री राधेलाल व्यास : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सिंधिया 'स्टेट रेलवे, जो कि अब मध्य रेलवे के

अन्तर्गत है, के उज्जैन-आगर, ग्वालियर-शिवपुरी, ग्वालियर-शिवपुर तथा ग्वालियर-भिंड सैक्शन घाटे में चल रहे हैं ;

(ख) यदि हां, तो इन सैक्शनों के सरकार के नियन्त्रण में आने के समय से प्रत्येक वर्ष कितना घाटा हुआ है; और

(ग) घाटा होने के क्या कारण हैं ?

The Deputy Minister of Railways and Transport (Shri Alagesan) (a) and (b). The figures of earnings and working expenses are not recorded separately for the different Sections referred to by the Member. The financial results of working of the Scindia State Railway as a whole for the three years 1950-51 to 1952-53 are given below:—

Year	Gross Earnings	Working Expenses	Net Earnings	
1950-51	30,21,780	35,18,214	(—) 4,96,434	Loss
1951-52	34,11,004	26,50,777	7,60,227	Gain
1952-53	12,62,372	23,06,997	(—)10,44,625	Loss

(c) The losses are mainly due to motor competition.

COAL WAGONS

558. **Shri K. C. Jena:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that due to deterioration in the movement of wagons, heavy stocks of coal are lying unexported at the Raniganj Colliery; and

(b) whether as a consequence, the colliery authorities propose to retrench their labrour staff?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The over-all loading of coal in the West Bengal and Bihar coal-fields during the months of December 1953 to February 1954 suffered unavoidably a setback owing to the necessity of providing for additional passenger traffic in connection with the Kumbh Mela. It is probable that this decrease has been partly responsible for the comparative rise in coal stock in the West Bengal and Bihar coal-fields, including the Raniganj colliery.

(b) The Government are not aware of any plans for making large scale retrenchment in the labour staff anywhere.

CHANGES IN MILEAGE

559. **Shri Rishang Keishing:** Will the Minister of **Railways** be pleased to state:

(a) whether mileage between several Railway stations on the Northern Railway has been changed;

(b) if so, the names of such stations and the old and new mileage pertaining to them;

(c) the reasons for such changes; and

(d) whether printed Railway tickets with old mileage and fares have been withdrawn or corrections have been made on them?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, Sir, in a few cases.

(b) and (c). A statement giving the information is attached. [*See* Appendix X, annexure No. 6.]

(d) Tickets with old mileages have not been withdrawn. They are issued after fares have been corrected by the booking staff.

THEFT OF LUGGAGE

560. **Shri K. P. Sinha:** Will the Minister of **Railways** be pleased to state:

(a) the number of cases of thefts of passengers' luggage in trains, on platforms and in waiting rooms in 1952-53;

(b) how the figures compare with those of the previous two years; and

(c) the number of such cases resulting from defect in or want of safety devices in passenger trains during 1952-53?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) to (c). A statement showing the required information is attached. [*See* Appendix X, annexure No. 7.)

LABOUR DISPUTES

561. Shri K. P. Sinha: Will the Minister of **Labour** be pleased to state:

(a) the number of Labour disputes in the year 1953 (month-wise) as far as the Central Government is concerned;

(b) the number of cases settled by the Conciliation Boards; and

(c) the number referred to the Tribunals?

The Minister of Labour (Shri V. V. Giri): (a) 2609 during 1953. Month-wise figures are not readily available.

(b) None during 1953.

(c) 31, during 1953.

समुद्री मार्ग से जाने वाले यात्री

५६२. श्री रघुनाथ सिह : क्या परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५३ में कितने यात्री भारत से विदेशों को समुद्री मार्ग द्वारा गये ; और

(ख) कितने व्यक्तियों ने भारतीय जहाजों में और कितनों ने विदेशी जहाजों में यात्रा की ?

The Deputy Minister of Railways and Transport (Shri (Alagesan): (a) and (b).

Number of persons travelling by Indian ships	... 1,9060.
Number of persons travelling by non-Indian ships	... 3,7702.
Total	... 5.6762.

TUBE-WELLS ON PLATE FORMS

563. Shri S. N. Das: Will the Minister of **Railways** be pleased to state:

(a) the total number of tube-wells sunk on the station platforms in each line from Samastipur to Darbhanga, from Darbhanga to Jainagar, from Sakri to Nirmali, and from Darbhanga to Jogiara;

(b) how many of these tube-wells are totally out of order;

(c) how many of them were uprooted and resunk when they were out of order; and

(d) what was the maximum and minimum depths to which these tube-wells were originally sunk?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Twenty-four; 5 on Samastipur-Darbhapga Section, 9 on Darbhanga-Jainagar Section, 7 on Sakri-Nirmali Section, and 3 on Darbhanga-Jogiara Section.

(b) Only two; one at Kishanpur and the other at Rajnagar.

(c) Only four tube wells had to be up-rooted and resunk at Kishanpur, Haiya Ghat, Rajnagar and Nirmali.

(d) These tube wells were originally sunk between 60 and 150 ft. deep.

QUOTAS FOR SENDING EGGS

564. Shri N. Sreekantan Nair: Will the Minister of **Railways** be pleased to state:

(a) whether there are quotas for sending eggs from the various Railway Stations;

(b) if so, what are the quotas for Trivandrum, Quilon, Shencottah, Trichinopoly and Madras; and

(c) the total number of egg baskets sent from those stations to Bombay, Calcutta and Delhi respectively during 1952-53 and 1953-54?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) There are quotas in force for booking of eggs from some stations on the Southern Railway only. On other

Railways this traffic is accepted freely without any quota limitation.

(b) and (c). Two statements containing the required information are herewith attached. [*See* Appendix X, annexure No. 8.]

QUARANTINE RESTRICTIONS

565. **Shri N. Sreekantan Nair:** (a) Will the Minister of **Health** be pleased to state which South East Asian countries enforce a period of quarantine for Indian Third Class passengers?

(b) Do these countries also enforce quarantine for any other Asian nationals?

The Minister of Health (Rajkumari Amrit Kaur): (a) Singapore and Malaya.

(b) Yes, for all deck passengers.

ACCIDENTS TO ELECTRIC TRAINS

566. **Shri N. Sreekantan Nair:** Will the Minister of **Railways** be pleased to state:

(a) the number of accidents on the Electric Train Services of Bombay and passenger deaths due to them during 1951, 1952 and 1953 respectively; and

(b) the steps taken, if any, to prevent such accidents?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The information is furnished below:—

	to · of accidents electric trains	No. of deaths as a result of the accidents
1951	6	—
1952	6	1
1953	7	1

(b) Steps taken include—

(i) Disciplinary action against staff held responsible for the accidents.

(ii) Precautionary measures for prevention of fires due to various causes, on the electric trains.

(iii) Improvement in the design of roof construction of electric coaches to prevent its being affected by fire from electrical short circuits etc.

(iv) Education of staff through Refresher Courses, Railway Gazettes in accident prevention measures, to make them more safety minded and to keep up their knowledge of rules and regulations designed for safe working of trains etc.

GRAIN-SHOPS

567. **Shri K. C. Sodhia:** (a) Will the Minister of **Railways** be pleased to state the total number of grain shops, Zone-wise, on the Indian Railways during 1953-54?

(b) What was the total number of staff attached to them under (i) Officers and (ii) other categories?

(c) What was the value of goods handled by them?

(d) What was the total number of employees receiving their supplies from these shops?

(e) What was the amount of subsidy paid to these shops?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) to (e). A statement giving the required information is herewith attached [*See* Appendix X, annexure No. 9.]*

AGRICULTURAL FARMS

568. **Shri Boovaraghasamy:** (a) Will the Minister of **Food and Agriculture** be pleased to state the number of Central Government Agricultural Farms in each State?

(b) What acreage of land is being cultivated in each Farm?

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*The original reply by the Deputy Minister of Railways and Transport reads as follows:—

"(a) to (c). A statement giving the required information is herewith attached."

The reply as printed above was sent by the Deputy Minister afterwards in substitution of the original reply.

(c) What amount is spent annually by Government on each of these Farms?

The Minister of Food and Agriculture (Shri Kidwai): (a) to (c). A statement is laid on the Table of the House. [*See* Appendix X, annexure No. 10.]

CANTEENS ON RAILWAYS

569. **Shri Ramji Verma:** Will the Minister of **Railways** be pleased to state:

(a) the rules and orders for the running of canteens in the Railway offices; and

(b) what part of the cost of management and supervision of each of the canteens attached to the Railway Board and the offices of the Northern Railway located at Delhi is borne by Government?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Some of the important instructions regarding setting up of canteens in Railway Offices are as under:—

(1) Canteens should be opened at points where considerable number of staff are concentrated.

(2) Canteens should be run on a no-profit no-loss basis.

(3) Canteens should be run preferably on a departmental basis but there is no objection to the Consumer Co-operative Societies taking over the running of canteens wherever this is possible.

(4) Whether run departmentally or otherwise, railway administrations should provide and maintain the required accommodation on a nominal rental. Sanitary and electric installations, furniture and cooking utensils should be provided free of charge. Charges on account of service taxes and consumption of electric and water should also be borne by the Railway administration where necessary.

(b) The canteens attached to the Office of the Northern Railway located in Delhi are run as follows:—

(1) Divisional Supdt.'s Office, New Delhi Branches of Headquarters Office at Mall Road and at KashmiriGate.	By the employees under the supervision of the administration.
(2) Traffic Accounts Office, Delhi Kishanganj.	By Co-operative Stores.
(3) Headquarters Office, Baroda House, New Delhi.	By contractors.

In the case of canteens worked by the employees themselves, the pay of the manager only is borne by the canteen accounts and the supervision and management by railway employees is in an honorary capacity. In the case of canteens run by Co-operative Societies, 50 per cent. of the cost of management for the first 3 years is borne by the railway in accordance with the policy of encouraging co-operative schemes.

There is no canteen attached to the Railway Board's Office.

पहाड़ी क्षेत्रों में धान उगाने की जापानी प्रणाली

५७०. **श्री भक्त दर्शन :** क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या किन्हीं पहाड़ी क्षेत्रों में भी धान उगाने की जापानी प्रणाली का प्रयोग किया गया है ; और

(ख) यदि हां, तो इस प्रणाली का प्रयोग किस किस राज्य में किया गया और उसका क्या परिणाम निकला ?

The Minister of Food and Agriculture (Shri Kidwai): (a) Yes, Sir.

(b) The Government of Himachal Pradesh are reported to have brought an area of 162 acres under this method in 1953 and the results have shown an average increase in yield of 4 maunds per acre. Details in regard to hilly tracts of other States are not available.

POSTAL LIFE INSURANCE

571. **Shri Krishnacharya Joshi:** Will the Minister of **Communications** be pleased to state:

(a) the total number of new policies issued under the Postal Life Insurance Scheme in 1953-54; and

(b) the total amount collected as premia during the same period?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). Information is in the process of collection and will be furnished as soon as it becomes available.

RAILWAY STORES

572. **Shri Madiah Gowda:** Will the Minister of **Railways** be pleased to state:

(a) the value of (i) electric bulbs, (ii) electric fans, (iii) train lighting batteries, and (iv) control apparatus for these three items, purchased every year during last three years; and

(b) the value of (i) indigenous manufactured and (ii) imported items, separately for each item?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). A statement giving the necessary information is attached. [*See* Appendix X, annexure No. 11.]

AVERAGE YIELD OF VARIOUS FOODGRAINS

573. { **Shri K. K. Basu:**
Shri N. B. Chowdhury:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) the yield per acre during the last four years of (i) Rice, (ii) Wheat, (iii) Bajra, (iv) Sugar-cane, (v) Tobacco and (vi) Jute; and

(b) in which States yield per acre of rice and wheat has decreased?

The Minister of Food and Agriculture (Shri Kidwai): (a) A statement giving the available information is placed on the Table of the House. [*See* Appendix X, annexure No, 12.]

(b) Yield per acre of rice in 1953-54 declined in Himachal Pradesh, Manipur and Vindhya Pradesh owing to adverse weather conditions. Yield per acre of wheat in 1952-53, the latest year for which data are available, showed a decline in Himachal Pradesh and Vindhya Pradesh due to insufficient rainfall during the growing period.

कोयले की खानें

५७४. **श्री रघुनाथ सिंह:** क्या श्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) सरकार द्वारा भारत में कोयले की कितनी खानें "सुरक्षित" तथा कितनी "असुरक्षित" घोषित की गई हैं ;

(ख) "सुरक्षित" घोषित की गई कितनी खानों में बिजली की रोशनी का प्रबन्ध है; और

(ग) कितनी "असुरक्षित" खानें सरकार द्वारा बन्द कर दी गई हैं और कितनी अभी चल रही हैं ?

The Minister of Labour (Shri V. V. Giri): (a) and (c). During March 1954, 848 coal mines were being worked and all of them were considered to be safe. From the 1st January, 1950 to the 4th May 1954, in 28 mines or parts thereof, certain matters, things or practices were considered unsafe and work in such cases was prohibited. Nine of them were permitted to resume work after the defects were remedied.

(b) 390. This figure relates to the year 1952.

BRIDGES

575. **Shri S. C. Samanta:** Will the Minister of **Transport** be pleased to state:

(a) how far the proposed construction of bridges over the rivers Damodar at Bagnans, Rupnarain at Kolaghat, Cossye at Panskura and Dulang at Phekoghat, have progressed;

(b) what is the estimated cost of each bridge;

(c) whether any representation has been made by the people nearabout Kolaghat to change the alignment of bridge at Kolaghat; and

(d) if so, what action Government have taken in the matter?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). A statement giving the required information is attached. [*See* Appendix X, annexure No. 13.]

(c) Yes.

(d) The matter is under consideration.

PRODUCTION OF GROUNDNUT AND COTTON IN RAYALASEEMA

576. Shri Lakshmayya: Will the Minister of **Food and Agriculture** be pleased to state:

(a) what is the estimated production of groundnut and cotton in Rayalaseema in Andhra this year;

(b) how this production compares with that of last year; and

(c) what measures are proposed to be taken by the Central Government for developing cotton and groundnut industries in Rayalaseema?

The Minister of Food and Agriculture (Shri Kidwai): (a) and (b). 1. Groundnut—The production of groundnut in Rayalaseema in Andhra is estimated to be 5,52,000 tons in 1953-54 as against 5,78,000 tons in 1952-53; showing a decrease of 26,000 tons or 4·5 per cent.

2. Cotton—Final estimates of production of cotton in 1953-54 are not yet available. According to the latest (fourth) estimate, the production in Rayalaseema in Andhra during 1953-54 is estimated at 74,000 bales (of 392 lbs. each), which is almost the same as last year's.

(c) According to the programme of cotton extension work for Andhra, it is proposed to bring an additional area of 30,750 acres under cotton during 1954-55, to grow cotton as a mixed crop on an area of 295,635 acres under other crops and to utilise an area of 95,793 acres for intensive cultivation. By these measures, an additional production of 26,940 bales of cotton is expected to be obtained. The Government of India have already sanctioned a loan of Rs. 1,50,000 to the Andhra Government for purchase of cotton seeds during the current season.

Regarding groundnut, no extension scheme is in force or proposed. However the Government of India recently sanctioned the establishment of a regional Oilseeds Research Station in Rayalaseema for a period of two years in the first instance to deal, *inter alia*, with groundnut, at a total cost of Rs. 88,992. Regarding cotton and groundnut industries, material is being collected and will be placed on the Table of the House.

TOBACCO REDRYING PLANT

576-A. Shri Ramachandra Reddi: Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the Tobacco Redrying Plant purchased by Government was installed in Guntur; and

(b) if not, where was it installed?

The Minister of Food and Agriculture (Shri Kidwai): (a) No.

(b) It has not yet been installed. The Government of India have decided to sell it to the Guntur Market Committee as desired by it.

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THE PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

HOUSE OF THE PEOPLE

Thursday, 13th May, 1954

The House met at a Quarter Past Eight of the Clock

[MR. SPEAKER *in the Chair*]

QUESTIONS AND ANSWERS

(*See Part I*)

9-5 A.M.

MESSAGE FROM THE COUNCIL OF STATES

Secretary: Sir, I have to report the following three messages received from the Secretary of the Council of States:—

(i) I am directed to inform the House of the people that the Minimum Wages (Amendment) Bill, 1954, which was passed by the House of the People at its sitting held on the 23rd April, 1954, has been passed by the Council of States at its sitting held on the 11th May, 1954, with the following amendment:—

"That *for* the existing enacting formula of the Bill, the following be *substituted*, namely:—

'Be it enacted by Parliament in the Fifth Year of the Republic of India as follows:—' ".

I am, therefore, to return herewith the said Bill in accordance with the provisions of rule 126 of the Rules of Procedure and Conduct of Business in the Council of States with the request that the concurrence of the House of the People to the said amendment be communicated to the Council.

(ii) I am directed to inform the House of the People that the Delivery of Books (Public Libraries) Bill, 1954, which was passed by the House of the People at its sitting held on the 24th April, 1954, has been passed by the Council of States at its sitting held on the 11th May, 1954, with the following amendment:—

"That *for* the existing enacting formula of the Bill, the following be *substituted*, namely:—

'Be it enacted by Parliament in the Fifth Year of the Republic of India as follows:—' ".

I am, therefore, to return herewith the said Bill in accordance with the provisions of rule 126 of the Rules of Procedure and Conduct of Business in the Council of States with the request that the concurrence of the House of the People to the said amendment be communicated to the Council.

(iii) I am directed to inform the House of the People that the High Court Judge (Condi-

[Secretary]

tions of Service) Bill, 1954, which was passed by the House of the People at its sitting held on the 24th April, 1954, has been passed by the Council of States at its sitting held on the 12th May, 1954, with the following amendment:—

"That *for* the existing enacting formula of the Bill, the following be *substituted,* namely:—

'Be it enacted by Parliament in the Fifth Year of the Republic of India as follows:—'".

I am, therefore, to return herewith the said Bill in accordance with the provisions of rule 126 of the Rules of Procedure and Conduct of Business in the Council of States with the request that the concurrence of the House of the People to the said amendment be communicated to the Council.

MINIMUM WAGES (AMENDMENT) BILL

DELIVERY OF BOOKS (PUBLIC LIBRARIES) BILL

HIGH COURT JUDGES (CONDITIONS OF SERVICE) BILL

Secretary: Sir, I lay on the Table of the House the following three Bills which have been returned by the Council of States with an amendment:—

(i) The Minimum Wages (Amendment) Bill, 1954.

(ii) The Delivery of Books (Public Libraries) Bill, 1954.

(iii) The High Court Judges (Conditions of Service) Bill, 1954.

PAPERS LAID ON THE TABLE

PRESS NOTE ISSUED BY THE GOVERNMENT OF INDIA REGARDING INDIA'S RIGHTS AND JURISDICTION AS MEMBER OF THE INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST.

Mr. Speaker: The Prime Minister will lay on the Table the copy of the Press note issued by the Government of India regarding India's rights and jurisdiction as member of the International Military Tribunal for the Far East, and then make a statement regarding the notice for calling attention to a matter of urgent public importance.

The Prime Minister and Minister of External Affairs and Defence (Shri Jawaharlal Nehru): I beg to lay on the Table a copy of the Press Note issued by the Government of India regarding India's rights and jurisdiction as member of the International Military Tribunal for the Far East, containing a statement on the question of Japanese war criminals. [*Placed in Library. See* No. S-167/54.]

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE.

INCLUSION OF PAKISTAN AS THE LEGAL SUCCESSOR OF UNDIVIDED INDIA IN THE CLEMENCY ARRANGEMENTS.

Sardar A. S. Saigal (Bilaspur): Sir, under Rule 215, I beg to call the attention of the Minister of External Affairs to the following matter of urgent public importance and I request that he may make a statement thereon:—

"(1) It is alleged that Government of India have rejected as illegal the inclusion of Pakistan as the legal successor of undivided India in the clemency arrangements.

(2) The power of clemency to reduce sentences on Japanese

convicted of war crimes, by the International Military Tribunal for the Far East is alleged to be restricted to Governments which signed and ratified the San Francisco Treaty of Peace.

(3) It is said that in 1952 the question of clemency for the convicted Japanese was referred by the Government of Japan to the Government of India and other tribunal members. It is also said that U.S.A. Government informed the Japanese Government that jurisdiction in the question of clemency was restricted to such countries on the tribunal as had signed and ratified the San Francisco Peace Treaty.

(4) Whether India's right to participate in the clemency proceedings was inherent in her membership of the Tribunal.

(5) Whether Government has also considered that the inclusion of Pakistan in the clemency proceedings as successor to India, because Pakistan is a party to the Treaty and India is not, is warranted and legally tenable."

The Prime Minister and Minister of External Affairs and Defence (Shri Jawaharlal Nehru): If you would permit me, Sir, instead of trying to answer the question seriatim, I shall make a brief statement on the facts. This is somewhat overlapping the paper I have already laid on the Table of the House.

The International Military Tribunal for the Far East was set up by a Proclamation issued in January 1946 by the Supreme Commander for the Allied Powers in the Pacific for the trial of Japanese was criminals. The Governments of the following eleven countries were members of the Tribunal:

(1) Australia

(2) Canada

(3) China

(4) France

(5) India

(6) The Netherlands

(7) New Zealand

(8) Philippines

(9) The United Kingdom

(10) The U.S.A.

(11) The U.S.S.R.

The trial began in June 1946 and judgment was delivered in November 1948. India's representative on the Tribunal was Dr. R. B. Pal, who delivered a learned dissenting judgment.

In November 1952, the Japanese Government approached India, along with the other Governments represented on the Tribunal, with a request for clemency to twelve Japanese war criminals who were undergoing imprisonment for life. The Government of India supported this request.

In March 1953, the Japanese Government informed our Embassy at Tokyo that they had been advised by the U.S.A. that only those Governments had jurisdiction in this matter which had signed and ratified the San Francisco Peace Treaty, which was signed in September 1951 and took effect from April 1952. According to this interpretation, China, India and the U.S.S.R., which did not sign the San Francisco Treaty, and the Philippines, which did not ratify it, had no jurisdiction in the matter of clemency. On the other hand, Pakistan which had signed and ratified the San Francisco Treaty, was held to have jurisdiction, even though she was not represented on the Tribunal.

Article 11 of the San Francisco Treaty provides that the powers of clemency etc., will be exercised by

[Shri Jawaharlal Nehru]

a majority of the Governments represented on the Tribunal and on the recommendation of Japan. Article 25 states that no rights or benefits under the Treaty shall be conferred on any State which has not signed and ratified it.

The view of the Government of India has been that Article 25 of the San Francisco Treaty, negotiatied and signed by third parties, cannot take away any right belonging to India as a member of the Tribunal. Further, the Tribunal's judgment was delivered long after the partition of India, and Dr. Pal was obviously acting only for the Government of India and not for the Government of Pakistan. Moreover, by the agreement annexed to the Indian Independence (International Arrangements) Order 1947, Membership of international organisations devolve solely on India.

Notes containing our views were delivered to all the Governments represented on the Tribunal and to the Japanese Government in April and May 1953. We received replies between July and December 1953. The Governments of Australia, Canada, France, Netherlands, New Zealand, the U.K. and the U.S.A., reaffirmed their stand that India had no jurisdiction in the matter of clemency since she was not a party to the San Francisco Treaty. They said further that there was no question of India's vote being transferred to Pakistan. According to them, Pakistan had equal jurisdiction in this matter as one of the successor States to British India, and if India had been a party to the San Francisco Treaty, both she and Pakistan would have had equal jurisdiction in the matter of clemency.

In a further series of notes handed in April 1954 to the seven Governments named above, the Government of India have reaffirmed their stand. A Press Note was issued by the Government of India on the 10th May, a copy of which I have just laid on the Table of the House. This Note states briefly India's case in this matter.

The Government of India are wholly unable to accept the view of the Governments named above and consider it a negation of the principles of international law and practice. In their opinion, the exclusion of India whose representative had all along functioned as a member of the Tribunal even after the partition of India, is completely arbitrary and has no justification whatever. Equally arbitrary is the inclusion of Pakistan. The fact that India did not sign the San Francisco Treaty and Pakistan signed that treaty, has no relevance to this question. A treaty signed by some of the countries, and not signed by India, cannot bind India in any way and cannot affect India's rights.

As already stated, it was clearly laid down at the time of the partition of India that all international commitments and membership of international organisations previous to the partition devolve solely on India. The interpretation, therefore, put by the other countries has no justification whatever and the Government of India take a grave view of this arbitrary use of authority regardless of the principles of international law and practice and the circumstances governing this particular case.

PAPER LAID ON THE TABLE

NOTIFICATION UNDER THE REQUISITIONING AND ACQUISITION OF IMMOVABLE PROPERTY ACT, 1952.

The Minister of Works, Housing and Supply (Sardar Swaran Singh): I beg to lay on the Table a copy of the Ministry of Works, Housing and

Supply Notification No. 2521-EII/54, dated the 31st March, 1954, under sub section (*2*) of section 17 of the Requisitioning and Acquisition of Immovable Property Act, 1952. [*Placed in Library. See* No. S-165/54.]

GOVERNMENT OF PART C STATES (AMENDMENT) BILL

Shri Dasaratha Deb (Tripura East): I beg to present fourteen petitions signed by fourteen petitioners in respect of my Bill further to amend the Government of Part C States Act, 1951.

POINT OF PRIVILEGE

Mr. Speaker: I received at about 5 P.M. last evening a letter from the Chairman of the Council of States which reads as under:—

"My dear Mr. Speaker,

> At the sitting of the Council of States yesterday (11th May 1954) a Member sought my permission to raise a question of privilege in respect of certain statements reported to have been made by Shri N. C. Chatterjee, relating to the passing by the Council of States of the Special Marriage Bill, in the course of a speech made by him at Hyderabad on the 10th May, 1954, as President of the All-India Hindu Mahasabha, at the concluding session of the Mahasabha and published in the local newspapers. According to the newspaper reports, Shri Chatterjee is alleged to have said that it was a 'wonderful Parliament' which was considering the Bill, and that the Upper House 'which is supposed to be a body of elders seems to be behaving irresponsibly like a pack of urchins.' Under my directions, the Secretary of the Council has written to Shri Chatterjee enquiring whether the statements attributed to him have been correctly reported in the newspapers.
>
> As Shri N. C. Chatterjee happens to be a Member of the House of the People, I am writing this to you."

I think this note very much narrows down the issue. I do not even now express an opinion as I am keen that the procedure should once for all be settled after due consideration. It is not a matter of the prestige or dignity of this House or that House, and not a matter to be considered on party lines, or with a kind of feeling or pride for one's own House. Both the Houses together form Parliament, and the prestige of one House should be equally zealously and jealously guarded by the other House. But we want to be clear as to what the procedure should be for initiating proceedings, if at all they are thought to be necessary, in case a Member of one House is to be—I would not say charged—even approached for a preliminary explanation in a matter where the House feels that its dignity has been offended. Whatever decision is taken will apply equally to instances in both Houses, If we decide on a particular way, then so far as any Member of the Council of States making any allegations or aspersions, as this House may consider them to be, is concerned the procedure will be the same as in the case of a Member of the House of the People—as in this case—who is alleged to have made them. It is from this point of view that we have to look at the question and come to a decision. I may repeat what I said yesterday that as this is the first occasion which has arisen and as we have to build up some kind of proper procedure and tradition, we may discuss this matter in a dispassionate way and come to an agreed conclusion in the interests of the rights and privileges and also dignity of both the Houses of Parliament. It is not a question of this House against the other House. Let there be no misimpression on that question. Therefore, I had said that I would have the discussion postponed.

Now, in the light of this letter which I have received from the

[Mr. Speaker]

Chairman of the Council of States. I should have personally thought, if the House agrees, that the matter may be thrashed out in the Privileges Committee of this House where there will be ample time to discuss these things. They may consult the Members of the Council of States formally or informally and it will be better if the Privileges Committees of both the Houses come to a common agreed decision about the procedure. I am not dealing with the merits, but I am only dealing with the procedure of initiation of any kind of enquiry, not even the proceedings. That is my suggestion, but it is for the House to decide.

The Prime Minister and Leader of the House (Shri Jawaharlal Nehru): As you said, Sir, it is obviously desirable that some procedure by consent of both the Houses or the consent of you and the Chairman of the other House should be arrived at in this matter. In the present case you were pleased to suggest that this matter may be considered by the Privileges Committee. Are you referring to the general question of procedure of this particular matter because it makes a great deal of difference? I would like to know which it is.

Mr. Speaker: I am suggesting to refer the general question of procedure when such questions arise. That will be the most important thing and whatever they decide on the general question will be followed in this particular case also.

Shri Jawaharlal Nehru: Perhaps you remember, Sir, that this is not the first time such a question has arisen. About a year and a half ago, or a little more, there was a case of a Member of the other House; it was a case exactly similar to this, only in the reverse, when a Member of the other House made a speech and he was summoned at the Bar of this House and the Privileges Committee demanded an explanation from him and all that; so that we have had an example of this. At the present moment nobody has been summoned by anybody, only a courteous letter has been sent. Are we to hang up the answer to that, because that is also discourteous? When the Chairman of the other House has asked information about the correctness of the speech, is that letter to be hung up so that the Privileges Committee may consider about the procedure? That, I submit is a great discourtesy to the Chairman of the other House.

Mr. Speaker: I should not like to carry on this discussion any further, but I am afraid, so far as the statement of facts is concerned I am not able to agree with the hon. Leader of the House. I have seen the proceedings, which he referred to, on the question of a Member of that House—Mr. Sundarayya—being called upon to give an explanation. On a preliminary examination I can say that, even assuming everything else to be on all fours, that was a case of voluntary submission to the jurisdiction of this House. It was perfectly competent for any Member of that House on being summoned to come and say just as what Mr. Chatterjee has said. That disposes of the example on that ground. Then again, this case is quite different. I can quite appreciate what the hon. Chairman has asked for in his letter to me; but the letter to Mr. Chatterjee, which he read out yesterday, was more in the nature of a writ than in the nature of a request. That letter is already before the House. The letter says—I will just repeat again:

> "...and to state that according to the said report you appear to have said in the course of that speech, while referring to the Special Marriage Bill recently passed by the Council of States, that it was a "wonderful Parliament" which was considering the Bill and that the Upper House "which is supposed to be a body

> of elders seems to be behaving irresponsibly like a pack of urchins." The words quoted have been made the subject-matter of a question of privilege raised by a Member of the Council of States at the sitting of the Council today on the ground that they constitute a reflection on the proceedings of the House and a violation of the rights and privileges of the House."

It is contended that this is something in the nature of a charge-sheet. The letter continues:—

> "It has been further contended that these words amount to an indignity offered to the Council......" (*Interruption.*)

Shri Syed Ahmed (Hoshangabad): It is not a charge; it is only a statement of facts.

Mr. Speaker: I am not interested in this or that side; I am not interested in this or that House, and this Member or that Member. Therefore, I said advisedly, let us approach this question dispassionately. The letter further says:—

> "It has been further contended that these words amount to an indignity offered to the Council of States. Before the Chairman takes further action in the matter. I am directed to request that you . . .etc . . . .etc . . . ."

The ultimate object is of course to ascertain the truth of it. The whole tenor appears to me to be that of a writ. I may be wrong on that point and people may differ in their interpretations. That is why I think the question is important, so far as the procedure is concerned and if the House agrees I will refer it to the Privileges Committee here and now. If the matter were one of simply asking for the correctness of the statement it stands entirely different. To my mind, it is not in the nature of a request. What the Chairman has written is unexceptionable. I should suggest, even without going into what the hon. Leader of the House has said as to whether the question should stand over, and without prejudice to what the Privileges Committee may ultimately decide over the question of procedure, I should suggest to Mr. Chatterjee that he may make a statement, give it to me and I can pass it over to the Chairman of the Council of States. That will satisfy the Chairman's desire to have facts and that will also not prejudice the decision on the procedural question. But these are all suggestions which I am making.

Shri N. C. Chatterjee (Hooghly): Sir, I will certainly comply with whatever is your wish. I only want to make it clear that it was not my intention to create a breach or cleavage between the two Houses. I think it was my duty as a Member of this House to bring it to the notice of you as Speaker and my hon. friends here at the earliest possible opportunity after I had been served with a writ or notice of that character. Now, the only thing I am asking with your permission—I hope you will agree and the House will agree—is that I do not want to submit to the jurisdiction of that House in any manner whatsoever and I am contending that under the Constitution the privilege of this House has been equated to the privilege of the British House of Commons. So far as I have been able to understand the constitutional position, no Member of one House can be made to submit to the jurisdiction of the other House.

Mr. Speaker: What I am suggesting is, as I said, without prejudice to the rights of the hon. Member and subject, of course, to the ultimate decision by consent—I hope there will be consent and agreement on this subject—of both the Houses or Privileges Committees of both the Houses; the hon. Member may make a statement in the form of a reply so that that will solve the difficulty of keeping the matter pending over. I do not want the matter to be kept over and the explanation withheld

[Mr. Speaker]

for an unduly long time from the hon. Chairman. If the hon. Member has said it, he has said it. I may also say that *prima facie* I would have wished him not to have said these words.

Shri N. C. Chatterjee: I can assure you, Sir, that I have been misreported, but I can communicate to you exactly what I have said and it will be for you to pass on the same to the Chairman.

Mr. Speaker: Will that be sufficient?

Shri Jawaharlal Nehru: I have nothing to say about this discussion if you are pleased to decide that it may be referred to the Privileges Committee. A little before that you have been pleased to decide that it will be a matter of consent of both the Houses. Will it not be better if the two Privileges Committees meet together to consider—not this question I mean—but the wide issue?

Mr. Speaker: That is what I said. I said that the two Committees may meet together, discuss the matter and come to some common agreed procedure.

The Minister of Law and Minority Affairs (Shri Biswas): May I say...

Some Hon. Members *rose*—

Mr. Speaker: Order, order. It seems, since yesterday morning when Shri N. C. Chatterjee made the motion or mentioned the point of privilege, the question at present, to my mind,—hon. Members will excuse me —is more dominated by feelings than any other thing.

Some Hon. Members: No, no.

Mr. Speaker: I am prepared to accept that no. I am merely stating my reactions. What I want is that all such questions of importance, which set a precedent for the future, for all time to come, should be discussed dispassionately, in an atmosphere which is free from any kind of feeling or bias. That is why I am keen or rather particular that there should be no discussion merely by reference to precedents in other countries. There are precedents in other countries. But, we have to develop our own. We have to see what is best in the interests of our own country rather than take from outside. That is why I suggested joint consultations between the Privileges Committees of both Houses. I am sure they will come to agreed conclusions. In the meanwhile, the position will be clarified so far as this particular matter is concerned by Shri N. C. Chatterjee giving a statement of facts to me to be forwarded to the Chairman of the Council of States. I think that should be quite a satisfactory solution.

Some Hon. Members *rose*—

Mr. Speaker: Order, order. I shall first hear the hon. Law Minister.

Shri Biswas: What I wanted to say was this, just to dispel the misapprehension on a question of fact. The position is that the Chairman of the Council of States has not yet taken cognizance, nor did he take cognizance, of the complaint which was made to him. Before he took any steps, he wanted to be satisfied whether the newspaper report upon which he was called upon to take action was correct or not. That is about all. He has not yet taken any cognizance. The use of the words 'taking action' in the letter of the Secretary of the Council of States seems to have given rise to a misapprehension as if the Chairman was in seisin of the matter and was contemplating disciplinary action or action for breach of privilege against a Member of this House. Nothing of the kind. Let me assure you that that was not intended and that was not actually the case. He did not take cognisance of this matter. He has to be satisfied as to the truth of the newspaper report. The question of taking any steps would come subsequently. That would depend on the reply which came from Shri N. C. Chatterjee. That was made quite clear in the letter of the Secretary.

Mr. Speaker: With agreement on the question that the matter be referred for consideration to the Privileges Committee of this House as also the Privileges Committee of the other House, and that they may jointly consult and come to agreed conclusions, I do not think we need raise any kind of controversy at this stage, which I am sure, will not be to the dignity of either House.

Shri S. S. More (Sholapur) *rose*—

Mr. Speaker: I do not want to hear anything more. Order, order. I am referring the question to the Privileges Committee of this House which will act in the light of what I have said above.

Shri S. S. More: I want to seek an assurance, with your permission.

Mr. Speaker: No, no. I do not want anything at present. He can give it to me in writing. I will see it and if it is permissible, I will permit him to take it up on some other day.

That automatically drops the next item of business on the agenda. Now, discussion on Delimitation of Constituencies.

DELIMITATION OF CONSTITUENCIES

Shri Vallatharas (Pudukkottai): I want to raise a point of order. Last night at about 10 o'clock, the Order Paper was handed over to us, about the business for today. The Delimitation question is a very important one. A number of resolutions were tabled. One came up; but it was not moved by the concerned Member. Afterwards an attempt was made and it has come in the form of a two hour discussion. This is a very important matter. Coming at 10 o'clock last night, we had no time to prepare for the discussion. There must be sufficient time. There have been many grievances that the order of business in the House has not been conveyed to the Members in proper time to enable them to study. I submit that this matter should not be proceeded with today; it may be taken up tomorrow.

Mr. Speaker: I was informed, and I believe that I was informed correctly, that whatever had to be done had to be done before the 17th. Looking to the programme before the House, there was no other alternative for me but to put down this motion for discussion as early as possible and I got time only today. If the House is agreeable, all that is possible will be to proceed with the reply of the hon. Minister and after he has finished, we may take this up. That would give the hon. Members half an hour or so. Let me know from the hon. Law Minister what time he will take to reply to the debate on the Bill.

The Minister of Law and Minority Affairs (Shri Biswas): About half an hour or so.

Mr. Speaker: It cannot be helped.

Shri Punnoose (Alleppey): Let us stick to the schedule.

Mr. Speaker: Let us stick to the programme. Dr. Krishnaswami.

Dr. Krishnaswami (Kancheepuram): I am deeply indebted to the Leader of the House for having given us this opportunity of discussing the procedure and the manner of approach adopted by the Delimitation Commission in delimiting constituencies and re-adjusting representation. I intend placing before this House certain facts which it cannot afford to overlook.

This House, after all, is interested in its composition and constitution. The Delimitation Commission is after all a creature of a Parliamentary

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enactment. Parliament conferred upon the Commission powers to pass final orders about the readjustment of representation which will have the force of law. Two weeks ago, the Delimitation Commission has published its provisional proposals, relating to readjustment of representation of two States—Madras and Andhra.

[MR. DEPUTY-SPEAKER *in the Chair.*]

Fifteen Parliamentary constituencies in the State of Madras have been mangled beyond recognition. Twelve in Andhra have been sliced up and regrouped after the heart's desire of the Commission. Twelve, both in Madras and Andhra, have lost their names altogether. There is great dissatisfaction in Madras, Andhradesa, Madhya Pradesh and Travancore-Cochin concerning the procedure and manner of approach adopted by the Delimitation Commission. We ought to remember that under article 81(3) Parliament obtained the enabling power to legislate for the constitution of a Delimitation Commission. May I with your permission read the particular article so that hon. Members might be aware of the exact implication of that article. Article 81(3) reads as follows:

> "Upon the completion of each census, the representation of the several territorial constituencies in the House of the People shall be readjusted by such authority, in such manner and with effect from such date as Parliament may by law determine:
>
> Provided that such readjustment shall not affect representation in the House of the People until the dissolution of the then existing House."

Now let me read the enacting formula of the Act. It is an Act "to provide for the readjustment of the representation of territorial constituencies in the House of the People and in the State Legislative Assemblies and the delimitation of those constituencies and for matters connected therewith".

The basic fact which has to be taken into account and which is also a limitation, is the actual existence of territorial constituencies on the date of the Constitution coming into operation and of each census. Existing territorial constituencies cannot be ignored or put aside, but have to be taken as the basis, and any revision or adjustment of such existing constituencies must be directly related to the increase in population of each constituency and the need for revision so as to bring it within the limits mentioned in article 81(1) (a).

What has the commission done? I suggest that the Delimitation Commission has gone outside the powers that have been conferred on it by Parliament, that it has overstepped the prescribed limits laid down by the Constitution. The Constitution-makers were most scrupulous in their choice of words. They did not intend that every census operation should be followed by an annihilation of constituencies. Indeed examination of the evolution of this particular clause reveals the wealth of constitutional precedents that had been taken into account by them. In the Irish Free State Constitution, a provision relating to representation reads as follows:

> "The Oireachtas shall revise the constituencies at least once in every 12 years, with due regard to changes in distribution of the population, but any alterations in the constituencies shall not take effect during the life of Dail Eireann sitting when such revision is made."

Our Constitution-makers as a matter of fact not satisfied with 'revision' took great trouble to find another and more appropriate term. They thought that revision might remotely suggest slicing up and scrapping up of constituencies. They, therefore, thought it better that a more definite and a more restrictive term should be employed. Therefore, they consulted the Constitution of Canada in which a slightly different word is employed, and that word has been put into our Constitution. The provision in the Canadian Constitution reads thus:

> "On the completion of the census in the year 1871, and of each subsequent decennial census, the representation of the four Provinces shall be readjusted by such authority, in such manner, and from such time, as the Parliament of Canada from time to time provides, subject and according to the following rules:..."

Readjustment implies that there is a thing which is to be readjusted. Parliament did not therefore confer upon the Delimitation Commission the power to scrap the old constituencies or to create new constituencies. Parliament did not intend to give the Delimitation Commission the powers of a *Brahma*. What it had intended was that the Delimitation Commission should content itself with such revisions or readjustments so as to bring the constituencies within the limit mentioned in article 81 (1) (a).

I do not know if hon. Members are familiar with the provisions of the Delimitation Commission Act. But I should like them to consider the provisions of this Act and find out what has taken place. What has occurred has a very serious bearing on the idea and continuance of representative government.

As I have already pointed out, the Constitution contemplated readjustment and not a new creation of territorial constituencies. The very notion of readjustment postulates the existence and identity of the thing to be readjusted. Otherwise, the Constitution could have categorically affirmed its intention in different language as it has done in article (3) regarding alterations and formation of new States. The procedure and approach adopted by our Constitution-makers to the problems of readjustment of territorial constituencies is correct and in conformity with the inherent theory and principle of democracy. A Member represents a constituency. A Member is entitled to and is expected to be in touch with his constituency. The constituency should not, therefore, undergo any more revision or transformation than is absolutely essential to keep within the limits envisaged by article 81 (1) (a).

The view that I have propounded gains confirmation from what we have done in the present Parliament. We passed the Constitution (Second Amendment) Act, 1952, which removed the upper limit of 750,000 of population for a territorial constituency, mainly, if not solely, with a view to retaining the identity of the existing constituencies. If the territory of a constituency is to be disturbed fundamentally, if the identity of a constituency is to be obliterated altogether as has been done by the Delimitation Commission in the case of several constituencies, then, after each census operation we would have confusion and the very idea of continuity which is the basis of representative Government will have received a death blow.

The idea of continuity in a democracy implies the approval or disapproval of the electorate that has once elected a representative. If the constituency ceases to exist altogether, the connection between the representative and the constituency would have been snapped altogether. It is in future impossible to think of nursing constituencies.

I should like further to point out that unlike the Delimitation Commission the Constitution-makers have wisely emphasized the nexus that

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must be maintained between a Member and his constituency. The proviso to article 81 (3) implies that no more revision or readjustment than is absolutely necessary will be made and that essentially and fundamentally the identity of the constituency will not be affected. Otherwise, the theory of an elected Member still representing a constituency becomes absolutely meaningless and the basic idea of democracy vanishes altogether. The democratic idea, after all, is that a Member represents voters of a particular constituency, and not a tract of land as the Delimitation Commission seems fallaciously to assume. The particular territorial constituency must be actually in existence and not be there by any process of fiction. While it is agreed —and I am not here to put forward an indefensible proposition—that no Member has a vested right to continue for all time as a Member of the House, it would be equally appropriate to point out that existing Members have a definite right and duty to nurse their constituencies, to understand the views of their voters, to appreciate their grievances and to take into account their wishes, so that they might make proper representation to Parliament. If the very identity of a constituency is destroyed altogether, what can a Member do except to ignore the views of those who have elected him and look to some other new constituency for the purpose of nursing it? This is opposed to all canons of democracy.

I made a reference some time ago to the proviso to be found to article 81 (3). The Constitution-makers themselves were extremely reluctant to break, as I said, the nexus that should subsist between the elected representative and the electors. Article 81 (3) and the provision to this sub-clause emphasize this all the more. The proviso to article 81 (3) reads:

> "Provided that such readjustment shall not affect representation in the House of the People until the dissolution of the then existing House."

What does this mean? The Constitution-makers envisaged only readjustment and not complete transformation of existing constituencies. If, during the lifetime of Parliament, readjustment takes place, Members will be deemed to represent the new constituencies notwithstanding such readjustment. But if the changes are of a serious character, so as to alter the very identity of the constituencies, the Members cannot by any exercise of logic be deemed to represent any particular area.

I have suggested enough to prove that the Delimitation Commission has usurped powers and jurisdiction which were never conferred on it. It has forgotten I repeat that it is, after all, a creature of parliamentary enactment. No commission, however eminent it may be, can afford to be above the Constitution, and Parliament has an inherent right to review the doings of this body. There is no point in suggesting that just because it is a statutory body, therefore, it should be immune from criticism. A statutory body's decisions cannot I grant be brought before this House, for amendment, review or change; but surely the procedure and the manner in which it has tackled these problems can and should be brought before this House, particularly as this House has decided to co-operate with it in the readjustment of representation.

What is the approach adopted by this Delimitation Commission—the creature of a parliamentary enactment? My hon. friend Dr. Lanka Sundaram is an associate member of the Delimitation Commission. But the manner in which he was treated by the Delimitation Commission throws a flood of light on the pompous approach that was adopted by the Chairman of the Delimitation Commission. My hon. friend Dr. Lanka Sundaram pointed out on one occasion—it was an important occasion relating to the discussion of the Budget—that an adjournment or postponement of the Delimitation Commission's conference to be held in Kurnool would be convenient. The curt, and—what I should term, —discourteous reply given by the Delimitation Commission was shocking. I am very reluctant...

Dr. Lanka Sundaram (Visakhapatnam): May I interrupt my hon. friend? It is not only I who has been mauled by the Commission, but the Andhra Government who wanted postponement were mauled. No adjournment was given.

Dr. Krishnaswami: Then that makes the offence much more serious than I thought, and therefore. we have all the more a right and duty to review the Delimitation Commission's doings. There is an impression in certain circles that this House of the People is non-existent, and those whom we have created and whom we have made members of a statutory body can afford to snap their fingers at us, snap their fingers at the very Constitution and bring every democratic institution into contempt. Let them remember that they have, after all, to function under certain limitations, and that they are not as important as they assume themselves to be, and that this Parliament has a sufficiently long arm to bring them under control and to make them conform and behave properly according to certain well accepted principles of fair dealing and justice.

Shri Biswas: I should like to protest against this sort of attack on the members of the Delimitation Commission, that is made here. The members of the Commission should not be treated as if they were just servants of Members of Parliament or of Parliament......

Several Hon. Members: They are.

Shri Biswas: The function which has been assigned to them should not be completely lost sight of in this manner.

Dr. Lanka Sundaram: On a point of order. The Commission has been appointed under an enactment passed by this Parliament. This House is now trying to review the work, and more so, the procedure adopted by that particular Commission. I do not see why and how my hon. friend the Law Minister can object to the remarks made by my hon. friend Dr. Krishnaswami.

Shri Biswas: At least, I have the right to raise this objection. None of these facts were placed before me. I should like to ascertain facts from the members of the Commission. While such one-sided and *ex parte* statements are being made against responsible members of the Commission, who fill responsible position, positions almost as good as those of High Court judges, while these attacks are being made, I have not been supplied with the facts, and I have no material before me, on which I can either accept or contradict those facts. I am placed in that embarrassing position. Is this right, is this fair, that because we are the Parliament, we think that we can do anything and ride rough-shod over every convention and every idea of propriety? (*Interruptions*).

10 A.M.

Shri D. C. Sharma (Hoshiarpur): I think it is the procedure adopted by the Commission, that is under discussion. But I have been listening to the hon. Member for the last twenty minutes or so, and I think he is only making some *obiter dicta* with regard to the functions of Parliament: he has not yet come down to brass tacks. I would request the hon. Member to come down to brass tacks, and to discuss the procedure adopted by the Commission, because that is the point under discussion.

Mr. Deputy-Speaker: The hon. Law Minister seems to feel some difficulty in regard to discussions of this kind—this was admitted by the Hon. Speaker—which are not balloted by way of resolutions earlier. The matter was raised by Shri Vallatharas, that there has not been sufficient notice given to hon. Members, and that the notice of the discussion was given to hon. Members only late last night. When the Hon. Speaker was deciding this, he said that it was urged upon him that this matter should be disposed of early, and therefore, ultimately, the House seems to have agreed to have this discussion even earlier than the reply of the hon. Law Minister on the motion in regard to the Hindu Marriage and Divorce Bill. The hon. Law Minister feels—of course, he can rightly feel—that these matters are not before him, and therefore he would like to take time to reply. Normally some time is fixed for this discussion.

An Hon. Member: Two hours.

Mr. Deputy-Speaker: As many as twelve persons have indicated their desire to participate in this discussion, and two hours have been allotted for this originally. The hon. Law Minister will take half an hour today for his reply in regard to the Hindu Marriage and Divorce Bill. I understand from the hon. Minister of Parliamentary Affairs that the Salaries and Allowances of Members of Parliament Bill may be taken up tomorrow. So, the rest of the time today may be devoted to the discussion on delimitation of constituencies. If the House agrees, I shall call upon the hon. Minister, unless he wants to take time, and have his reply postponed to some other day, at 12-15 P. M. and he may conclude by 12-30 P.M. Or, if he wants more time, I shall call upon him at 12 noon, and he may conclude at 12-30 P.M. and then he can start his reply to the discussion on the Hindu Marriage and Divorce Bill. If, however, he feels that so far as these matters are concerned, he would like to take time and get information regarding the matters that are raised here, I leave it to him. But it is a question of allotting time for discussion. The same handicap is everywhere. No previous notice of the points is given, and no procedure is laid down, and this is how we have been carrying on, so far as discussions under rule 211 are concerned. I leave it to the hon. Minister as an exceptional case; if he wants time on behalf of Government, we may consider that matter, and see if this could stand over or his reply only.

Shri Biswas: My difficulty is this. If questions of fact are raised in the course of this discussion, and I am expected to give a reply, I must be supplied with those facts, so that I might get the materials from the Election Commission or from the Delimitation Commission or whatever it is. On what basis am I to reply? That is my difficulty. If the question was one of interpretation, this is the interpretation, this is the Constitution, this is the provision, they have exceeded the limits of that, etc., all the facts that I shall require is whether they have actually transgressed those limits or not. That is about all, and on that, it may be possible to reply. But if questions of this personal nature are raised, and it is said, that they asked for an adjournment, but that adjournment was refused, and so on, I do not know on what grounds that adjournment was asked for, and on what grounds that adjournment was refused. I should think any tribunal, judicial or semi-judicial, has the right to say whether an adjournment should be granted or not. It will be a bad day for us, if such questions were raised, and because an adjournment was not given, the tribunal were hauled up at the bar of

Parliament; it will be a bad day for Parliament, if such a thing were done.

Several hon. Members *rose*—

Mr. Deputy-Speaker: How can I afford opportunity to so many hon. Members simultaneously?

Dr. Lanka Sundaram: Sir, I am rather surprised at the manner in which the hon. the Law Minister sought to make a statement......

Mr. Deputy-Speaker: Making a speech?

Dr. Lanka Sundaram: My point is simple. There is the official gallery here in this hon. House. He can call the Members of both the Commissions to be present as the debate goes on. That is the normal procedure. Apparently, he does not want discussion...

Mr. Deputy-Speaker: So far as this matter standing over till the some other day is concerned, there is nothing in the Rules of Procedure. This subject is discussed under Rule 211. There is certainly a way as regards the opportunity which the hon. Law Minister thinks he should have. Other hon. Ministers have also consented to similar motions and they have been able to get the facts. Before consenting to the motion, whether it should be admitted or not, the Minister is also asked to look into it.

Shri Biswas: I had signified my dissent. I had stated that it was very vague and I did not agree to this discussion taking place. The matter is in the hands of the Speaker and I have got to submit to his ruling. I was informed late last night that the discussion would take place.

Dr. Lanka Sundaram: The cat is out of the bag!

Mr. Deputy-Speaker: I will consider it. If the hon. the Law Minister feels on behalf of the Government that he wants time for consideration and reply, the facts may be placed before the House and as an exception —for it is not provided for in the rules—.since the Government must have its own say on this matter, I will allow his reply to stand over till some other day which he may choose. In the meanwhile, I will stick to the time-limit for this matter, *i.e.* 12-30. Then I will call upon the hon. Minister to take up reply to the other matter.

Shri Biswas: Yes, Sir.

Mr. Deputy-Speaker: This discussion will go on till 12-30. The hon. Member who started. Dr. Krishnaswami, will take 20 minutes or 25 minutes at the most. Then I will call the other hon. Members and give 10 minutes each, if possible.

Shri Biswas: So you allow me to reply on some other day.

Mr. Deputy-Speaker: Very well.

Shri Raghavachari (Penukonda): It was stated by the Speaker that the matter had to be discussed before the 17th and therefore, even the discussion was not allowed to be postponed till tomorrow. So in considering the question of giving further time to the Minister this fact must be taken into account.

Shri Altekar (North Satara): May I make a submission?

Mr. Deputy-Speaker: Let the hon. Minister reply tomorrow.

Shri Biswas: That will depend on whether I am able to consult the Members of the Delimitation Commission. I understand they are not here. They are now out on tour.

Mr. Deputy-Speaker: When does the hon. Minister expect he will be able to reply?

Shri Biswas: I have got to find out when they are due to return. If such charges are made, then of course on those points I have got to consult them. Without reference to them, how can I reply? So that depends on when they return.

Mr. Deputy-Speaker: It is a small matter. The only question is...

Shri Biswas: May I just find out from my officers as to when they will return?

Mr. Deputy-Speaker: Oh, yes.

Shri Punnoose: On a point of order, Sir. The hon. Minister just now stated that when notice of this motion was given...

Shri Biswas: The infomation in possession of the Law Minister is that they are not expected to return before the 17th...

Shri V. P. Nayar (Chirayinkil): Sir, a point of order has beeen raised. Let it be heard.

Mr. Deputy-Speaker: Let me dispose of this matter which has already been taken up. I heard the hon. Speaker to say that it was represented to him that this matter must be disposed of before the 17th, and therefore he gave consent at such short notice; ultimately, the House agreed and we are proceeding. If however the hon. Law Minister cannot reply before the 17th, the very object of giving such short notice, as the hon. Speaker said, will be lost. Therefore, he may reply today with whatever material he has, unless he is able to choose any other day earlier than the 17th. I leave it to him. He may make up this mind before he wants me to call him at about 12 or 12-15. I am prepared to call him.

Shri Punnoose: The hon. Law Minister stated that when notice of this motion was given, he gave the reply that the motion was vague, that he was not in a position to answer and that he was not possessed with all the facts. Also he gave the opinion that it should not be fixed up and that still it was fixed up. That means he has certain dissatisfaction as to the fixing up of this time. Is it not a reflection on the Chair to make that statement on the floor of the House?

Babu Ramnarayan Singh (Hazaribagh West): Hear, hear.

Mr. Deputy-Speaker: I am afraid there is no reflection. The Law Minister said it; but ultimately the decision is in the hands of the Speaker. The Speaker said that it should be discussed before the 17th and in spite of the Law Minister's inconvenience, he agreed. Therefore, the Law Minister only made a statement of fact, as to under what circumstances it happened and that he must have notice and he must gather all material. Until yesterday he could not know of it and therefore, he feels there is a handicap. So there is no point of order. The hon. Law Minister is entitled to say that notwithstanding his objection, it was accepted by the Speaker:

Dr. Krishnaswami: I should like to resume my speech from where I left off. I want to point out to my hon. friend, the Law Minister...

Mr. Deputy-Speaker: With regard to the first point that was raised by the hon. Law Minister, hon. Members will confine themselves to the merits of the matter, the irregularities and other relevant matters. General discussion as to whether we have jurisdiction over them or not is not relevant, unless any point of order is raised. So far as admission is concerned, it has been admitted by the hon. Speaker. Therefore, there is no more going into that matter. He has given his consent and so far as this matter is concerned, his decision is final. Now we have only to discuss and leave it; we are not going to take a decision on this matter.

Dr. Krishnaswami: I did not wish to offend my hon. friend, the Law Minister; nor must this House assume that I was withholding facts from him.

Shri Biswas: You made that charge.

Mr. Deputy-Speaker: Let there be no conversation across the Table.

Dr. Krishnaswami: But the point which I should like to make is that the facts which I am mentioning are published in the *Gazette of India*. Dr. Lanka Sundaram wrote his dissenting Minute and that has been published in the *Gazette of India*. I presumed that Members of the Government were at least familiar with the *Gazette of India*....

Shri N. C. Chatterjee (Hooghly): Never.

Dr. Krishnaswami:...and therefore it was that I suggested that these facts should be taken into account.

I was dealing with the powers and the procedure of the Delimitation Commission. It was not my intention to asperse any individual member of the Delimitation Commission, but it certainly is my desire to affirm from this side of the House—and I hope I will have uniform support for what I am advocating—that so far as these bodies are concerned, they are only creatures of parliamentary enactments and they are subject to certain well-known limitations which they cannot afford to overstep. It is no use trying to be touchy about the dignity of this or that individual; no matter however eminent he be, if he tries to overstep the limits prescribed either by the constitution or an act we certainly have a right to invite the attention of this House and to suggest corrective measures so that he might keep within the limits prescribed by the Constitution.

I shall refer to some aspects of the procedure adopted by the Delimitation Commission. The Commission cannot usurp jurisdiction which it does not possess under the Constitution. The limitation about the distribution of seats and delimitation of constituencies under the Act is that the Delimitation Commission should publish its proposals. The publication of proposals is envisaged to give the public an idea regarding the reasons and concrete schemes which, according to the Commission, should be adopted. The Act further provides for objections being made to the proposals by the Commission. But unless the Commission —and this is an important point which the hon. Law Minister will have to bear in mind—gives out its reasons, a bare publication of the list of new constituencies and an invitation to make objections will be absolutely fatuous and purposeless. The public must be given information as to why existing constituencies are disturbed or how the readjustments would not have been possible without scrapping up and destroying the identity of the old constituencies. Without such information being furnished, calling for objections is meaningless, a fake and a farce, and is meant to be an eyewash. It is, therefore, imperative that before going any further, the Commission should be compelled to disclose the procedure adopted by it, the data on which it acted and why several constituencies have lost their shapes altogether and become totally unrecognisable at least to the present Members of the House of the People. Parliament is entitled to know all these matters. Parliament demands that these matters should be brought to their notice. We have after all appointed the Delimitation Commission for a certain specific purpose under the Delimitation Act. What is to be the solution of our present difficulties? I am not one of those who suggests that all these proposals should be brought before Parliament. for amendment and review. This may lead to an odious process of lobbying. But I do affirm that we should clarify our intentions and a clarification is most necessary. I recommend two simple amendments which can be made to the Delimitation Act. These clarifications recommended are in conformity with the spirit and tenor of the Delimitation Commission Act. I should

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like this proviso to be put in at the end of section (8).

> "Provided further that in giving effect to the provisions of this sub-section, the existing constituencies shall be readjusted with the minimum necessary alterations."

The other amendment is that the Delimitation Commission should be compelled to publish its proposals together with the detailed and comprehensive reasons and the dissenting proposals of the associate members. My hon. friend, the Law Minister, points out that it is too late at this stage to think of legislation. I agree that it is late, but this is a matter which is of such great urgency, that an ordinance can be and should be issued. The House will not be in session, I agree; neither can the House be kept without any business to be transacted. The Commission is already progressing rather rapidly and in order to proceed at greater speed, I understand that the Chairman has shifted the venue of operations to Ootacamund, a salubrious hill station. By the time the House meets next, it would have completed the delimitation of constituencies of major States. If the Bill is to wait until the House is to meet, it cannot be enacted until September, and then, if enacted, the work of the whole Commission will be rendered nugatory. The amount of money spent on the Commission's labours would be a waste of public funds. Therefore this is an appropriate case in which an ordinance can be and should be issued. I demand relief from Parliament. A relief from Parliament should be granted so that the mischief that has been done may be retrieved. An ordinance, after all, is a temporary injunction to be followed by complementary legislation which would be in the nature of a permanent relief. I have said enough to indicate that there are strong grounds...

Mr. Deputy-Speaker: Does the hon. Member mean that under the Constitution readjustment of constituencies does not mean an overhaul or a recasting of the whole thing?

Dr. Krishnaswami: That is the point. I derive support for my standpoint from the fact that when the original draft was prepared revision was taken from the Irish Constitution. Eventually the Constitution-makers omitted the word 'revised' and put in the word 'readjust' which they took from the Canadian Constitution. It is exactly because of that, that they put also the proviso saying that during the existing Parliament, the constituencies shall not be disturbed. In other words, they thought that Members of Parliament would be deemed to represent the new constituencies. The Delimitation Commission was not constituted to be a grand jury to gallivant throughout the country and upset all constituencies on the ground that there had been some gerrymandering in the past. Parliament has not been apprised whether there was gerrymandering in the past. Parliament has not yet had any occasion to review this matter. Certainly if Parliament had wanted to upset gerrymandering of constituencies, a different procedure would have been adopted. This sort of high and mighty attitude that has been adopted by the Delimitation Commission should not have been acquiesced in by the associate members of this House who should have brought it to our notice earlier.

Mr. Deputy-Speaker: What is the need for an ordinance? What is the hurry? It can be had only when there is a very urgent need.

Dr. Krishnaswami: If these proposals are finalised before September, then we would have to pass an Act.

Mr. Deputy-Speaker: What is the hurry even before September?

Dr. Krishnaswami: That depends upon the personnel of the Delimitation Commission and how far the Law Minister is able to apprise them of the wishes of this House.

Mr. Deputy-Speaker: Is there any election to go on in PEPSU or Travancore-Cochin? Or, is this for the general elections next time?

Dr. Krishnaswami: Yes; therefore, I fail all the more to understand why they did not grant a simple adjournment when my hon. friend, Dr. Lanka Sundaram, demanded it on the 27th February last. It was the date on which the Budget was introduced. I therefore suggest that this is a plain case in which there ought to be a clarification of our intentions. The amendments that I have suggested are of an essentially simple character. Parliament has, therefore, a right to shake the delimitation commission out of the rut into which it has fallen, to make it realise that it is to repeat a creature of Parliamentary enactment, and that it cannot afford to flout the wishes and express command of Parliament. A parliament which has been elected on the basis of adult franchise.

Shri Bansal (Jhajjar-Rewari): On a point of information. I want to know what is the real point in getting up this debate and having a decision of this House before the 17th I have not been able to follow.

Dr. Krishnaswami: May I clarify the point? 17th is the last day for sending objections before the Delimitation Commission.

Some Hon. Members: In what State?

Dr. Krishnaswami: Madras and Andhra.

Shri Velayudhan (Quilon *cum* Mavelikkara—Reserved—Sch. Castes): Travancore-Cochin also.

Dr. Krishnaswami: Yes; practically, three major States of the south are affected. I would like to point out that merely asking us to give our objections without giving us a list of the reasons why the constituencies have been delimited would be absolutely dishonest.

Pandit Thakur Das Bhargava (Gurgaon): What about the other States of India?

Dr. Krishnaswami: That also will have to be taken up for revision.

Pandit Thakur Das Bhargava: Will there be a retrospective effect in respect of finalised Delimitation proposals.

Dr. Krishnaswami: They are all provisional. I suggest they should be reopened.

Pandit Thakur Das Bhargava: They are not.

Dr. Krishnaswami: Ours are provisional proposals.

Dr. Lanka Sundaram: Two years ago today every hon. Member of this House entered this Chamber. We are not even half-pay through the five-year period of the life of this hon. House. It is rather appropriate that on the third anniversary of our entry into this Chamber, we should be discussing delimitation. I would like to make two points. I would like my hon. friend the Law Minister to listen to me on this. I am not contesting the validity of the Presidential orders on delimitation. I am sure on one in this hon. House will contest it. I am not impugning the integrity of the members of the Delimitation Commission...

Mr. Deputy-Speaker: All personal references may be avoided. An eminent judge of the Supreme Court is the Chairman of the Delimitation Commission. Hon. Members are entitled to say what the scope of the Delimitation Commission is and if the Constitution has been misunderstood or misinterpreted, if a clarification is necessary, what steps should be taken by this Parliament etc.

[Mr. Deputy-Speaker]

They are within their legitimate right to that extent.

Shri Radhelal Vyas (Ujjain): The Chairman of the Commission is no longer a judge of the Supreme Court; he has retired. Cannot a reference be made to the retired judge? It is not in his capacity as judge of the Supreme Court that he will be discussed. It is only as Chairman of the Commission.

Mr. Deputy-Speaker: All that I am saying is this. He may not now be a judge of the Supreme Court but he is an eminent person who has acted as a judge of the Supreme Court. He is now the Chairman of the Commission. There may be differences of opinion regarding the interpretation or the working out of the rules and that might cause some amount of embarrassment and inconvenience which was not contemplated by the Parliament at the time of the framing of the Constitution. Hon. Members are within their rights to refer to those difficulties on the floor of the House and seek such redress as might be desirable. But, to go beyond that and to say anything against the Chairman is not proper. Independent of having been a Judge of the Supreme Court, the Chairman of a Commission is entitled to respect by the Members of this House. Let there be no heat in this matter. Facts leading to a conclusion as to what should be done, whether there should be a thorough overhaul as if we are doing it for the first time now, or is there to be a re-adjustment on account of the census—every census will mean that there is no fixed constituency and the whole constituency will be wiped out—are all matters on which the hon. Members might say what they feel. The hon. Minister will take time to consider them and place his views before the House. Apart from that, other matters if they are brought in, unnecessarily cloud the issue and our attention is diverted.

Dr. Lanka Sundaram: That is exactly what I was making out. My second point is that I am not impugning the integrity and character of the Members of the Commission. In fact, the Secretary of the Commission had received very high praise from Sudan, international praise. That is not the point at issue. The point to which I am directing the attention of the House is the manner and method adopted by the Delimitation Commission in the process of the discharge of its duties which has created a number of difficulties. And, in order to help my hon. friend, the Law Minister, I would quote with your permission two or three very small paragraphs from my minute of dissent to the Report of the Delimitation Commission which appeared in the *Gazette of India* and also in the Gazette of the Andhra Government. I will come to that in a minute. As you have correctly put,......

Shri Biswas: In the notice of the motion no reference was made to the State or States in respect of which the complaint was made. For the first time, now, I understand that Andhra and Madras are intended to be referred to. But, they were not mentioned in the notice of motion and I do not know which *Gazette of India* I have to look up.

Dr. Lanka Sundaram: He can reply tomorrow. I do not know why my hon. friend, the Law Minister is impatient. He has plenty of time for a reply, a considered reply with the assistance of the Secretariat and other officers. He has 24 hours and more.

The point I was arguing was this. As you correctly said a minute ago, Mr. Deputy-Speaker, every time there is a census, are these constituencies to be wholly wiped out of existence and new constituencies formed? I have got here a map and I would not waste the time of the House. I will show without any difficulty at all that even geographical considerations, considerations of contiguity have been completely ignored by some of the proposals of the Delimitation Commission.

Pandit Thakur Das Bhargava: How can they? There must be contiguity according to law.

Dr. Lanka Sundaram: I am glad my hon. friend has raised this point. They are all absolutely unrelated at all. I am prepared to give this to my hon. friend and place it on the Table here for every hon. Member to examine it. The point I am making is......

Mr. Deputy-Speaker: I find hon. Members bring here some article, some bottle, something......

Dr. Lanka Sundaram: It is a map of the Commission, Sir.

Mr. Deputy-Speaker: There cannot be a photograph of it here simultaneously with the reporter. Nobody except the hon. Member can see it. If the hon. Member wants to refer to the Plan in the House, he must refer to it in words as to what exactly he means. Otherwise, it cannot go into the records. There is no use dangling it in the House.

Dr. Lanka Sundaram: My friend was amazed at the point I was making. The point is that even considerations of contiguity have been wiped out by the Delimitation Commission.

Mr. Deputy-Speaker: This is not a general discussion on a Bill where hon. Members can speak irrespective of time. I would suggest to the hon. Members that they may refer at best to points on which this House must interfere or to show that the Delimitation Commission by an erroneous interpretation are not carrying the demarcation in the spirit of the Constitution.

Dr. Lanka Sundaram: The procedure adopted is arbitrary. It does not give any opportunity for proper consultation with not only the associate members nominated in the name of this House but also of the public. It is here that I would crave your indulgence to quote two small paragraphs from my minute of dissent, paragraph 5 in the *Gazette of India* dated the 26th April, 1954. It reads thus:—

> "For several months past there were public statements by Andhra Ministers referring to the existence of a memorandum of the composite State of Madras—(that is before the creation of Andhra into a State)—regarding delimitation. I put myself in correspondence with the Secretary of the Delimitation Commission and his letter No. 58/27/53 of the 13th February, 1954 *inter alia* runs as follows, as far as this point goes. 'I am to state that there are no proposals of the composite Government of Madras-Andhra with the Commission.' Since the Ministers of the Andhra State are reported in the papers to have referred to the proposals of the composite Government of Madras before partition, I was in correspondence with the Minister for Finance and Law of the Andhra State, Shri T. Viswanathan, and his letter of the 21st February, 1954, runs, in part, as follows: 'The proposals so far made were made entirely at the office level and that was done at the time of the composite State. The Andhra Government Departments are just now looking into the matter.' "

My point is this. I am an associate member functioning in the name of this House with the Commission. I am aware—as you are aware, coming from that part of the country from which I come—that there were proposals by the composite State of Madras, the Government of Madras before partition. I asked them for a copy. I am told by the Commission that there are no such proposals. I

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wrote to the Minister in Andhra. He says, there were. This is the proof. The tragedy, however, is this that even the Andhra Government or the Andhra Minister with whom I put myself in touch did not supply me with a copy of the proposals and I am asked to advice the Commission in the name of this House. Is it fair, is it proper? On what basis did the Delimitation Commission proceed. The Delimitation Commission suppressed the proposals which they had received. I talk with a certain amount of anxiety on this point. These associate members have been fooled about by the Commission.

I will give another instance. This hon. House met on the 15th February. I arrived here on the 11th February after a stay of two months in my constituency. A letter was waiting for me here dated the 10th of February asking me to proceed immediately and meet them on the 23 or so.

Mr. Deputy-Speaker: When did Parliament commence?

Dr. Lanka Sundaram: On the 15th February.

Two days after that I rang up the Commission. I do not know the Secretary of the Commission; I have had no opportunity of meeting him. I asked him whether the Commission would give us a suitable date. Do you know the answer I got? I declare it with honour. He said, 'After all the Commission has got to do some work'. As if we have nothing to do. That is a small point. And, lo and behold, a few days after the date of the meeting, it was postponed abruptly, for what reason, I do not know. Then a further date was fixed.

Mr. Deputy-Speaker: Evidently to accommodate the hon. Member.

Dr. Lanka Sundaram: No, Sir; to accommodate their office convenience.

Mr. Deputy-Speaker: Office convenience?

Dr. Lanka Sundaram: I say so with all responsibility, because the Secretary of the Commission was asked to go to Sudan. I am not quarrelling with it. The more important point I want to make is this. I shall quote from the *Gazette of India* so that my hon. friend may not think it is all a cock and bull story. I am reading from paragraph 7.

> "I want to go on record, on information made available to me from appropriate quarters, that the Andhra Government itself was most anxious not to have the meeting held in Kurnool for the reason that it was in the midst of the budget session and suggested postponement thereof."

It was not postponed. And I am prepared to declare that there were no proposals of the Andhra Government before the Commission. And we have the threat of the Order being finalised on the 17th. Is it fair?

Mr. Deputy-Speaker: Is there any indication to show how the proposals were made by the Commission and published?

Dr. Lanka Sundaram: If you will permit me I will come to it a little later. I am trying to draw attention to the arbitrary abrupt and unreasonable manner in which the Commission have been proceeding. Leave aside my convenience. The Government of the State of Andhra must be consulted. They asked for postponement. But the meeting was held.

I will go a step further. I declare, after making competent enquiries, in good faith, and in a *bona fide* manner, something which will astound the House. As you know, Sir, my constituency consists of two revenue districts. Even today the Collectors of these two districts have not been consulted or asked to make proposals in this regard.

Shri Velayudhan: Why should they be consulted?

Dr. Lanka Sundaram: Let my friend have a little patience. I am leading up to the position. Is the Commission an omniscient body? Does it manufacture proposals from its brain caps? What is the basis of the recommendation sought to be made in this provisional Order now gazetted? Where do they get it from? The Andhra Government has not submitted any proposals.

Mr. Deputy-Speaker: But do they not have the previous proposals?

Dr. Lanka Sundaram: After all you will appreciate all of us have to proceed with a sense of responsibility. So in the final paragraph of my minute of dissent I wrote:

> "I am most anxious that the proposals of the Delimitation Commission should not give rise to any justifiable grievance that considerations other than those involved in population growth have become involved."

I am prepared to suggest, and very seriously, that considerations other than the implications of the census have gone into this business. I agree with your admonition, Mr. Deputy-Speaker, and you have seen my behaviour in this House. I do not want to make any wild or irresponsible statement. But I do not think that the procedure adopted by the Commission, in the light of the documents and the letters of correspondence between me and the Commission and between the Andhra Government and the Commission, is correct. That is the reason why I signed the motion along with my hon. friend Dr. Krishnaswami a few weeks ago to have a debate on the resolution which unfortunately could not get through because of certain difficulties.

Mr. Deputy-Speaker: What is it that the hon. Member wants this House to do?

Dr. Lanka Sundaram: Postponement of the finalisation of the impending orders of the Delimitation Commission with respect to the States which have just now been completed. I agree with the statement made by my hon. friend Dr. Krishnaswami that the Delimitation Commission must append to each proposal the reasons for making that recommendation, without which it will not be fair to this honourable House and to the voter at large.

Shri S. S. More (Sholapur): Under what provision can we make all these changes or give all these directions? If you refer to section 4 of the Delimitation Commission Act which we have passed, under which the Commission is functioning, you will see that they are given complete power to readjust constituencies.

Mr. Deputy-Speaker: It seems to be a matter of interpretation of readjustment. In the earlier portion of the article in the Constitution it refers to grouping, dividing, and so on, readjusting the constituency after every census in the light of any increase in population. What the hon. Member evidently says is that the readjustment is not done properly.

Shri S. S. More: We are at a disadvantage. Are we trying here to implement what we meant by readjustment?

Mr. Deputy-Speaker: That is the clarification they want.

Shri S. S. More: According to the request he made this House should postpone the finalisation of this.

Dr. Lanka Sundaram: I want the Commission to postpone the finalisation.

Shri S. S. More: Who is to ask them?

Mr. Deputy-Speaker: He is appealing to the hon. the Law Minister.

Dr. Lanka Sundaram: My friend has misunderstood my point. I am

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not asking this House to postpone the finalisation, because it has no jurisdiction in the matter. I am taking this opportunity in this House to convey to the Delimitation Commission through my hon. friend the Law Minister that in the light of what we have said so far, and in the light of what other hon. Members may say in the next few minutes, they should defer finalisation of the proposals which for all practical purposes, as far as I am concerned, are arbitrary.

There is one further point I wish to make. Under the Constitution this honourable House and the Delimitation Commission itself have certain obligations to the Scheduled Castes and the Scheduled Tribes. You, Mr. Deputy-Speaker, coming from Andhra are familiar with the geography of the area, and you will see that the interests of the Scheduled Castes and the Scheduled Tribes have been completely jeopardised as a result of some of the recommendations of the Delimitation Commission. You will see that the Scheduled Caste constituency of Eluru has been abolished and shifted to Nellore. I am referring to the parliamentary constituency.

Mr. Deputy-Speaker: Shifted from one to another?

Dr. Lanka Sundaram: It is a question of readjustment! The point I wish to make is this.

Shri A. M. Thomas (Ernakulam): In which place is there more concentration of Scheduled Castes?

Dr. Lanka Sundaram: That is what I want to know! There is no increase in the number of seats in the House of the people for Andhra State even though there is an increase in population. That is a point which I think the House should remember. These remarkable series of changes completely wiping out existing constituencies have been made. I shall give one important illustration regarding the Scheduled Tribes.

Shri D. C. Sharma: For the Punjab there has been no increase in the number of seats; actually there has been a decrease.

Dr. Lanka Sundaram: I am not asking for an increase. I will give an example regarding the Scheduled Tribes and sit down. As you know, Sir, and as the House knows, I represent a joint constituency with Scheduled Tribes. I am now at the moment arguing against my own personal interest. It is an argument which I incorporated in my minute of dissent. There are about seven lakhs of Scheduled Tribes in Andhradesh spread over East Godavari, Visakhapatnam and part of Srikakulam Agencies, the largest being in East Godavari. But in the last delimitation, God alone knows for what reason, they were disenfranchised for parliamentary election and a double constituency was given to me. Do you know the proposal today? The Scheduled Castes of Dandakaranya in East Godavari District are continued to be disenfranchised. My double member parliamentary constituency has been abolished. And the Scheduled Tribes are given a double member constituency in the north, at Vizianagram, where there is hardly any Scheduled Tribe population compared to my area or Dandakaranya. In other words there is no unification of the Scheduled Tirbes south of the Vindhyas. I do not know how the Delimitation Commission has arrived at this conclusion. As I said, and I repeat, I am now arguing against my own personal interests. Under the Constitution we have a special responsibility for the Scheduled Tribes. This is only as an illustration of how we are trying to discharge that responsibility.

I request the hon. the Law Minister to convey to the Delimitation Commission on behalf of the House, at the appropriate moment, that they should not proceed post-haste with the finalisation of these proposals, because once it is gazetted finally and the President's order comes none can challenge it. I can give him an assurance that I am not contesting the validity of the President's order, nor do I question the character and the integrity of the members of the Commission. But I am certainly here to condemn the arbitrary and, if you would permit me to say, the irrational procedure so far adopted.

Shri Ramachandra Reddi (Nellore): I have got a very few observations to make on this motion. I agree generally with the views that have been expressed by the two previous speakers. I am reminded here of the Telugu saying that when a pupil was asked to draw the picture of his teacher, he drew it, and in the end it was found to be not the picture of his teacher but that of a monkey.

Shri D. C. Sharma: I must say it is very insulting to the teaching profession.

An Hon. Member: Let us hear the Telugu saying.

Mr. Deputy-Speaker: Let us not spend away the time. That is not part of the delimitation.

Dr. Lanka Sundaram: Let us delimit the teacher!

Shri Ramachandra Reddi: A casual perusal of the delimitation proposals impresses upon anybody that the principles have not been properly adhered to and reasonable methods have not been adopted in the delimitation of the constituencies. We expected when we passed this Act and also when a Commission for delimitation was appointed that certain fundamental principles would be observed by them and those fundamental principles being that they should interfere in the least with regard to existing constituencies and that they should have the district units unchanged as far as possible. Another principle was that for Assembly constituency they will have the taluk units upheld.

Mr. Deputy-Speaker: Are there any general principles under which the delimitation is now being done? Why are they going over the existing constituencies?

Shri Ramachandra Reddi: I have not seen any such principles noted down, but we as Members of Parliament expect generally that there would be the least interference with the existing constituencies. I did not have enough time to devote to the recent orders of the Commission, as such I am not in a position to describe them in greater details. I would therefore only touch upon a few points of general interest.

From a perusal of the report of a couple of districts with which I am acquainted, I feel that these principles have been violently violated and I think that the Commission should be requested once again to revise their orders on that behalf. For instance, the constituency that I represent consists of three Government taluks and two ex-estate taluks. In two Government taluks and two estate taluks there were only three M.L.A. general constituencies. Now, they have been increased to four after subtraction of a substantial area. Instead of three members for the Assembly, they have created four members for lesser area and with the same boundaries, of course with a few adjustments in the taluk boundaries, and two of them will be from Scheduled classes.

Mr. Deputy-Speaker: What is the percentage of increase in population there, has it doubled?

Shri Ramachandra Reddi: I do not think so; this is a barren and dry area. I do not think there is any possibility of the population being doubled. I do not think it could have put in its quota of 10 per cent. within ten years.

Therefore, I feel that some sort of vociferous influence has been brought

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upon the Commission and they were made to think that a few adjustments here and there would be suitable. But, I am afraid that influence is dependent upon certain local conditions. Certain people who are anxious to retain their influence or membership in those particular constituencies want to safeguard their constituencies and influence. They also want to add on a few more Scheduled class seats to those constituencies with the result that instead of three seats in the same area there will be now six seats in their pockets. This is one point that I wanted to mention.

Then, we had for that district, two general seats and one Scheduled class seat for the Parliament. Now they have cut off one general seat and it has been reduced to one seat for the Scheduled class and one general seat, having taken away a portion of the previous constituency. Instead of giving the Scheduled class a seat there, if the density of population is the criterion, they could be tacked on the Scheduled class seat to the West Godavari district where that population is of greater density than in Nellore. Thus, the density of population has not been properly considered. I am not pleading for removal or retention of any particular seat in any particular constituency at all. I am speaking generally about the way in which things are being managed.

As a matter of fact, it is only when a particular Member has got the opportunity of nursing his own constituency that he can stand in that constituency and secure success. But, here, by the recent order of the Delimitation Commission nursing of the constituency has been made impossible. Instead of having taluks as the units they have cut off the taluks into several pieces and made *Firkas* as the headquarters of certain constituencies. I see them to a large extent in my own district. Since I am acquainted with my district I am trying to point out the defects in my district. I feel that in certain cases the Congress influence has had its own play upon the decisions.

Shri Achuthan (Crangannur): Quite the reverse was our experience.

Shri Ramachandra Reddi: The reason is,—I am replying to my hon. friend Shri Achuthan—that in each district there are two Congress parties, the more influential gets the better of it and the less influential, gets the worst of it. That is a thing which every hon. Member in this House is aware of. I never wanted to make a mention of it, but Shri Achuthan drew me into that.

Now, after the change in these constituencies, some of them have been made very small ones and some of them have been made very unwieldy; single member constituencies have been doubled up and double member constituencies have been changed. In these circumstances one would wish that the matter is reviewed once again and the necessary adjustments made. I feel that these constituencies have been used as 'potter's earth' which can be squeezed into any shape while it is wet. Whatever might be the shape, the Commission did not very much mind it, but they were only led by certain impressions of their own creation. I have got the greatest respect for the Chairman as well as members of that Commission, but I am sure that they have not been properly advised by those people who have been taken to advise them.

Dr. Lanka Sundaram: Where is the advise; neither the Collector nor the Government?

Shri Ramachandra Reddi: As pointed out by Dr. Lanka Sundaram if the State Governments and the Collector of each district are not consulted and their views not taken, I do not know whom they consulted and whose advice they have taken. That is why

I have said previously that certain influential voices seem to have prevailed over the decisions that have been taken by the Commission. I would only submit that there is not much urgency in this matter. The general elections are nearly two years off.

Dr. Lanka Sundaram: Three years off.

Shri Ramachandra Reddi: I am sure, as far as the present House is constituted, there is no fear of any elections earlier or the dissolution of the Parliament. Since there is no particular urgency about this matter, it behoves the Government as well as the hon. Law Member to see that the Commission look into this matter more carefully, take the opinion of the local officials as well as State Governments into consideration and find out a way by which they can make a more proper and reasonable adjustment.

We expected that the principle of least interference with the existing constituencies would be adopted. But, that does not seem to have been adopted. We find, in the end, too much of grafting and cutting has been indulged in. If we just look into the map of these constituencies, we will find that in certain cases the arm has been amputated and grafted on to the leg and a finger has been amputated and grafted to the toe. I can easily point out several instances.

Mr. Deputy-Speaker: Fortunately, the finger has not been put into the nose.

Shri Ramachandra Reddi: That would only choke the person. I do not like to take more of the time of the House. I would only appeal to the hon. Law Minister to look into these matters with an open mind and see that, wherever complaints are received, such matters are properly examined by the Government itself. Whether the Commission is going to change the proposals or not, I think the Government should have the ultimate authority to change certain proposals and make the division of the constituences more reasonable and more tenable.

Shri Velayudhan: I wanted to speak on this particular motion because it has created a lot of stir not only among the Members of Parliament, but also among those interests that are intimately connected with delimitation. When I heard the Law Minister speak or intervene in the debate......

Shri K. K. Basu (Diamond Harbour): Interject.

Shri Velayudhan:......or when I heard some of the Members speak on this question, I could not help feeling that they express no reasonable view point on the subject under discussion. It is my feeling that many people are ignorant about the suject under discussion. That was why no concrete proposal regarding this subject under discussion was put forward by any hon. Member who spoke before me.

We are now discussing a point on the basis of a Bill which we passed in 1952. I must tell the House that I had an opportunity of speaking on this Bill when it came before the House at that time. One point about which I warned this House at that time was, I remember even now, that clause 9 should be amended, so that when the Delimitation Commission revised the report, it should not only be placed before Parliament, but it should be discussed in Parliament and it must become law after getting the assent of Parliament. In clause 9 it was stated that the Commission shall cause each of its final orders to be published in the *Gazette of India* and upon such publication, the orders shall have the full force of law and shall not be called in question in any court or anywhere else. I had specifically mentioned that this revised statement of the Delimitation Commission should come before the House and that the Parliament should discuss it and then decide how the delimitation should proceed. This is what we did in the first Bill also. I was a member of the Committee from the Travancore-Cochin State. Then, the whole report of the Delimitation Commission came before Parliament. We dicussed it threadbare and then

[Shri Velayudhan]

Parliament passed it, and then it became law, after passing by Parliament. At that time, somehow or other, I heard a lot of manoeuvring inside the circles here with the result that this particular clause was introduced so that we are now left without any opportunity to discuss this matter except as a short notice question or something like that.

11 P.M.

I have not much criticism about the Commission, because the Commission will have to finalise the report. At the same time, I must say with due respect to the Commission as well as to the law that we have passed, that it has gone beyond the limit of its own powers in so many respects. It was only a revising Commission and it cannot go beyond that. I must give an example. Take the Malabar district where there was a Scheduled Caste seat reserved. That seat has been taken away from them. I must say this with all respect that this goes beyond their power. I think it is a kind of idosyncracy on the part of the Commission to take away a seat which was already given by a Commission before, and then take it to another part of the State or somewhere else. In Malabar it was a big unit. Even though it is part of the Madras State, in Malabar and South Canara, there was a single unit of Scheduled Castes and they formed a population of 5 lakhs. I have gone through the list regarding delimitation worked out by the Commission. I see that where there is less population than in Malabar, they have allotted seats. Take, for example, the seat allotted to the parliamentary constituency for Ramanathapuram. There is lesser population there than in the Malabar district. According to the Constitution and the Bill which we have passed, the Scheduled Castes should be allotted seats where they are concentrated and at the same time, the seats should be distributed also. It is very clearly stated in clause 8 (2) (d) that the constituencies in which a seat is reserved either for the Scheduled Castes or for the Scheduled Tribes, as far as practicable, should be located in areas, in which the population of Scheduled Castes or as the case may be of the Scheduled Tribes is most concentrated, and that in regard to Scheduled castes, care should be taken to distribute the reserved seats in different areas of the States. In the Malabar district, which is particularly a Malayalam speaking area, in the Madras State, the only Parliamentary constituency which we were having, my friend Shri I. Eacharan's seat, has been taken away, and it has been given to a Tamil-speaking area. So, I had to use that particular word regarding the Commission's action.

Another thing that I wanted to say is this. In my State, of course, they have now delimited the constituencies. I do not know why I was not called to represent this matter. It was stated in the Bill that the Speaker will nominate a Member of Parliament from that State, when the particular delimitation proposals were investigated in the State. Especially some of us who represent the Scheduled Castes in the Travancore-Cochin State, in this Parliament could be nominated. I am the only Member and I thought that I would be invited. In the last Delimitation Commission, I was a Member.

Shri K. K. Basu: Invited or nominated?

Shri Velayudhan: Both.

Shri K. K. Basu: If you say, nominated, it is the function of the Speaker: the Commission has nothing to do with that.

Shri Velayudhan: Don't be in a hurry. I know that better than yourself. I wanted to be a Member of the Commission nominated because I want to represent my matter clearly so that it may be accepted by the Commission. I meant in that spirit; not becoming a Member of the Commission.

Shri Punnoose: All these matters have been published in the papers.

Shri Velayudhan: At the same time, I must say that the Speaker used to nominate Members from the States. He should have seen that particular interests are represented from that State, also. Therefore the Scheduled Caste Members should have been included or nominated in that committee.

Scheduled Caste Members from Mysore State have expressed a lot of difficulty. Not a single Scheduled Caste Member was associated with the Delimitation Commission nor did the Speaker nominate anyone.

Mr. Deputy-Speaker: The Commission is not responsible for that.

Shri Velayudhan: The Speaker is responsible.

Mr. Deputy-Speaker: We are not going into those matters.

Shri Velayudhan: There is only one remedy now, *viz.*, to amend section 9 of the Act. The Law Minister should bring a Bill after the submission of the whole report by the Delimitation Commission, and then we will have to discuss it and decide the whole thing.

श्री गणपति राम (जिला जौनपुर -- पूर्व -- रक्षित--- अनुसूचित जातियां) : उपाध्यक्ष महोदय, मैं उत्तर प्रदेश की शेड्यूल्ड कास्ट कांस्टीटुएंसीज के विषय में दो मिनट का समय चाहता हूं ।

Shri Raghuramaiah (Tenali): I am one of those who have been considerably surprised at the manner in which delimitation has been and is being conducted. It looks though somebody has taken his scissors and is cutting up the map of India in straight cuts without any regard to the circumstances of each particular area. It is I think, a cross-country trot.

After all, in constituency we are not dealing with only rivers, mountains and landscape. We are dealing with people. I have known many cases where there are certain natural affinities, groups of people having been associated for years in the same constituency, having been nursed by the same Member. Now, there is an arbitrary disturbance of that natural association, and I think, as some previous speaker said, it will be an awful day to democracy if a man does not know what constituency he belongs to. Particularly I feel that in doing that the Commission has completely ignored—and there, I entirely agree with Dr. Krishnaswami—the provisions of article 81.

There is a clear distinction between the language of article (81) (1) (b). and the language of 81 (3). As you have pointed out Sir, article 81 (1) (b) talks of the States being divided into groups or formed into territorial constituencies. That has relation to the original scheme of things. Now, I am reading article 81 (3):

> "Upon the completion of each census, the representation of the several territorial constituencies the House of the People shall be readjusted...."

There is difference between the initial division and subsequent readjustment. The question of readjustment has arisen because of a possible increase in the population or, maybe, a decrease in the population. We have set a figure that there shall be one Member for every 750,000 people of the population and not more than one Member for every 500,000 of the population. Suppose in an existing constituency there is an increase in the population and there are more than 750,000—or below the minimum specified here—then there is a case for readjustment. It was never obviously intended by this article that there shall be a wholesale cross-cutting of the entire country. The same language, you will not notice, Sir, has been

[Shri Raghuramaiah]

adopted in the Delimitation Commission Act. I am regarding section 8 of the Act:

> "The Commission shall, in the manner herein provided, first determine on the basis of the latest census figures—
>
> (a) the number of seats to be allotted to each of the States in the House of the People....and in doing so, shall have regard to the provisions of article 81 and article 330...."

It is, therefore, clear that this Act cannot and does not purport to give any more powers than what is contemplated under article 81, and the Commission, in so far as it has gone on dividing up the whole country as if the constituencies never existed, has gone much beyond the spirit of article 81. I also agree and that is probably a matter in respect of which we have to bear some share of the fault that the status of the associate members in the Commission is not at all consistent with the dignity of this House. Unfortunately, in section 5 of the Act we have chosen the words "for the purpose of assisting the Commission in the readjustment of the representation". I do not know what impression we have given to the Commission by the use of the word "assisting". I suppose the idea was not that associate members should be treated like any other member of the Public but that there should be some weight attached to their advice. It was not I think, the intention of this House when it passed the measure, that they should be ignored completely.

I think in very many cases the Commission has treated the advice given by the Members of the State Assemblies and Members of Parliament with scant respect. I would like to record my strong protest at the manner in which it has been done. In saying that I have not got anything personal against members of the Commission. I know them. They are perfect gentlemen, they are nice gentlemen they are honest gentlemen. I am only saying this to show that I am not attacking them personally, but I do protest that the treatment given to associate members is not what is contemplated in section 5 of the Act. There perhaps the word "assisting" is being misconstrued. When we introduced the word "assisting", I think all that was meant was that associate members should not have a right of voting but that there should be a weight attached to their advice because they are either Members of Parliament or Members of the State Assemblies and they have got abundant experience in the matter.

I agree that something must be done. The question is: what is to be done? My friend, Dr. Krishnaswami, has suggested that an ordinance should be issued giving a kind of direction as to the interpretation of article 81; in other words, directing the Commission that the alterations that they make shall be only in the nature of readjustment here and there. But I submit that such an ordinance would be wholly unnecessary because it is clear—abundantly clear—from the section itself, from the article of the Constitution itself, that they shall not do anything more than a readjustment. There is also another difficulty. In the case of some of the States I understand the proposals of the Delimitation Commission have already become final. If we issue instructions at this stage, I do not know what is going to happen to the proposals which have already been made by the Commission in respect of some of the States and have become final. I think we should devise some machinery which should apply equally to the States in respect of which proposals have been made and the States in respect of which the Commission's proposals are now being awaited. In this case I agree with Mr. Velayudhan that the proper course, situated as we are today, is to amend section 9 of the Act. Section 9 of the Act contemplates that as soon as proposals are made and as soon as they are published in the *Gazette of India* and they become final, they shall be laid before the House of the People. There is not even, obviously, a right of discussion and nothing is specified in this Act.

We simply receive them on the Table of the House.

Dr. Lanka Sundaram: May I interrupt the hon. Member? You may lay it down that when a paper is laid on the Table of the House, it is open to the House to discuss it, if it chooses. Nothing prevents a discussion.

Shri Raghuramaiah: Even so, my point is this. You may discuss it, but it is not going to alter their recommendations. Their recommendations become absolutely final, because under section 9 (1) of the Act:

> "The Commission shall cause each of its final orders to be published in the *Gazette of India;* and upon such publication, the order shall have the full force of law and shall not called in question in any court."

So, a mere discussion here is not going to affect the merits of the case.

It is sometimes said that this provision has been inserted to avoid any political influence in the final decisions. But this is the Parliament, and it is not conceivable that we will interfere in every constituency. But when a grave irregularity like this happens, and we are satisfied that article 81 of the Constitution is not properly construed or is not properly applied,— and it is only when a question of principle like that arises—I think this House will interfere and set right matters. Instead of an ordinance merely indicating to the Commission the lines on which they should proceed, I would in the circumstances request the hon. Law Minister to consider the question of amending section 9, so that it may authorise this House to scrutinise the final proposals in respect of all these cases, and where grave errors are committed, to interfere and set matters right.

I would only repeat what I have stated at the very commencement. I and the many other speakers of this morning have nothing personal against the members of the Commission. It does not matter how the constituency of each one of us is set down, but we are interested in the fact that what the Commission is now doing will, if this interpretation of article 81 of the Constitution is allowed to stand, jeopardize the whole conception behind that article; and every time there is a census, if we are going to have this kind of thing, there will be a total alteration of all constituencies, so that at any given point of time, nobody knows who are the people whom he represents.

सरदार ए० एस० सहगल (बिलासपुर) : उपाध्यक्ष महोदय, माननीय सदस्य डा० कृष्णस्वामी ने डिलिमिटेशन कमीशन के ऊपर जो दो घंटे की बहस की आज्ञा प्राप्त की है, उस पर मैं अपने कुछ विचार रखना चाहता हूं ।

यह कहा जाता है कि डिलिमिटेशन कमीशन को जो अधिकार दिये गये थे, उसने उन की अवहेलना की है । मेरे यहां डिलिमिटेशन कमीशन ने जो बाउंडरीज़ बनाई हैं उन के बारे में भी मैं कहने के लिये तैयार हूं कि हाउस आफ दी पीपुल के लिये जो जगहें हैं मध्य प्रदेश में उन में भी इसी प्रकार से हुआ है, लेकिन आपने जो अधिकार उनको दफा ८१ में दिये हैं, जब तक आप उनको बदलते नहीं हैं तब तक उसके ऊपर क्या बन्धन है कि वह आपकी बातों को मानें । इसलिये पहले आप संविधान की दफा ८१ को बदलिये इसको बदलने के बाद जो ऐतराज़ात हमारे बहुत से सदस्यों ने उठाये हैं, उन पर अमल किया जा सकता है । लेकिन जब तक आप यह धारा ८१ नहीं बदलते हैं, तब तक आपके ऐतराजात कहां तक कामयाबी हासिल कर सकें यह मेरी समझ में नहीं आता है

[सरदार ए० एस० सहगल]

जिन हमारे ऐसोशिएटेड मेम्बर्स ने डिलिमिटेशन कमीशन के सामने बयान दिया है, उनके बारे में मैं कहना चाहता हूं कि खाली ऐसोशिएटेड मेम्बर बन जाने से काम नहीं चलता है। जो मेम्बर्स उसमें भाग लेते हैं उनको पूर्ण अधिकार होना चाहिये कि जो उनकी बातें हों, जो उनके सजेश्न्स हों, जो उन के सुझाव हों, उन पर कमीशन अमल करे। लेकिन देखने में आया है कि उसने इसके मुताबिक कार्य नहीं किया है। मैं आपके सामनें कहूंगा कि दफा ८१(३) में यह है :

> "Upon the completion of each census, the representation of the several territorial constituencies in the House of the People shall be readjusted by such authority..."

वह कौन अथारिटी है जो यह ऐडजस्ट करेगी? ऐडजस्ट करने के लिये आपने डिलिमिटेशन कमीशन रखा है कि वह जाकर इसका ऐडजस्टमेंट करेगा, कोई दूसरा इसको नहीं कर सकता। इसके साथ साथ यह भी है कि :

> "......in such manner and with effect from such date as Parliament may by law determine."

यह काम तो पार्लियामेंट का होगा कि वह तय करे कि कमीशन इसको किस तारीख से और कैसे कर सकता है। इसके साथ साथ यह भी है कि :

> "Provided that such adjustment shall not affect representation in the House of the People until the dissolution of the then existing House."

तो हमें यह देखना है कि हर एक स्टेट का हाउस आफ दी पीपुल में जो रिप्रेजेंटेशन है उसमें किसी किस्म की गड़बड़ी न हो। मान लीजिये कि स्टेट है, आप मध्य प्रदेश को ले लीजिये। मध्य प्रदेश का एक ज़िला, या एक कान्स्टिटुएन्सी, एक परगना या एक तहसील यदि दूसरी स्टेट में डाल दी जाय तो ऐसी हालत में मैं समझता हूं इस पर ऐतराज़ किया जा सकता है। लेकिन अगर उसी स्टेट में सन् १९५१ के सेन्सस के मुताबिक पापुलेशन बढ़ गई है तो इस में कमीशन क्या करेगा, यह मेरी समझ में नहीं आता है। कमीशन तो यह देखेगा कि अगर कहीं पर हरिजन भाई रहते हैं तो उनकी पापूलेशन कितनी है, और रिप्रेजेन्टेशन उसके परसेन्टेज के मुताबिक है या नहीं। उसके मुताबिक वह उस एरिया को बनायेगा। इसी तरह से जो हमारे ट्राइबल एरियाज़ के लोग हैं उनके लिये भी यह देखेगा कि यदि वह एक ज़िले में नहीं बल्कि दो ज़िलों को लेकर परसेन्टेज में आते हैं तो उसके मुताबिक ऐडजस्टमेंट होगा।

मैं माननीय सदस्यों का यह ऐतराज़ मानने के लिये तैयार हूं कि जब तक आप इस पर अच्छी तरह से गौर नहीं करते हैं तब तक काम नहीं चलेगा। मान लीजिये कि १९५१ के बाद जब दूसरा सेन्सस होगा उस में भी दिक्कत पैदा हुई तो आप क्या करेंगे ? फिर दुबारा आपको तकलीफ उठानी पड़ेगी। पहले दफा ८१(ख) में यह था कि :

> "......not less than one member for every 750,000 of the population and not more than one member for every 500,000 of the population."

आपने क्या किया कि पापुलेशन को ५००,००० पर ला कर रख दिया है यानी इससे नीचे नहीं होना चाहिये कान्स्टिटुएंसी बनाने के लिये। ऊपर की हद तो आपने कोई रखी नहीं, हो सकता हो ८ लाख हो, ९ लाख हो या १० लाख हो। लेकिन जब तक आप इन चीज़ों में तरमीम नहीं करते हैं, जो भी आपके यहां की जन संख्या है जो मर्दुमशुमारी में बढ़ाते हैं, उस वक्त तक मैं नहीं समझ सकता कि डिलि-

मिटेशन कमीशन क्या करेगा । आप पहले अपने कांस्टीट्यूशन के दफा ८१ को बदलिये, उसके बाद फिर आप डिलिमिटेशन कमीशन पर जो भी ऐतराजात हों उनको कर सकते हैं ।

जो डिलिमिटेशन कमीशन है उसको आपने मुकर्रर किया है । मुकर्रर होते के बाद वह अपनी कार्यवाही करता है । उसको आपने कांस्टीट्यूशन के मुताबिक अपने खुद के ऐक्ट के मुताबिक बहुत से अधिकार दिये हैं । यदि वह उन अधिकारों की अवहेलना करता है तो बेशक आपको बतलाने का अधिकार है, बेशक आप यहां पर कह सकते हैं, यहां पर बहस कर सकते हैं, उस पर ऐतराज कर सकते हैं । आप एक कमेटी बना दें, वह अपनी राय दे, रिपोर्ट बना कर भेजे, रिपोर्ट भेजने के बाद यदि कान्स्टिटुएन्सी बनाई जाती है तो हम उस पर ऐतराज कर सकते हैं और जहां आवश्यक हो वहां हम ऐडजस्टमेन्ट कर सकते हैं । इस तरह से करने में हमें सहूलियत होगी और जो कान्स्टिटुएन्सीज बनाई गई हैं, तथा उन के सम्बन्ध में हमारे मित्रों को जो ऐतराज हैं, उन पर हम विचार कर सकेंगे ।

इन शब्दों के साथ हमारे माननीय मित्र जो दो घंटे की बहस सदन के सम्मुख लाये हैं, उस पर मैं अपने विचार रखता हूं ।

Several hon. Members *rose*—

Mr. Deputy-Speaker: Shri S. V. Ramaswamy.

Shri M. S. Gurupadaswamy (Mysore): What about this side?

Mr. Deputy-Speaker: I started with this side first, and allowed four hon. Members to talk, Dr. Krishnaswami, Dr. Lanka Sundaram, Shri Ramachandra Reddi and Shri Velayudhan. Now I am coming to this side.

Shri Debeswar Sarmah (Golaghat-Jorhat): What about the middle?

Mr. Deputy-Speaker: Hon. Members need only wait, and they will be called.

Shri Punnoose: They also serve who only stand and wait.

Mr. Deputy-Speaker: Now, Shri S. V. Ramaswamy.

Shri S. V. Ramaswamy (Salem): The notification in regard to the Madras State differs from that in regard to the State of Andhra in one respect. In the Andhra notification, we find three minutes of dissent, whereas there is none in the Madras notification. It gives the impression as if there were no counter proposals or alternative proposals to what was proposed by the Delimitation Commission. Actually, it is not so. A number of alternative suggestions has been submitted to them, and yet, you would be pleased to see, they have not even been incorporated as minutes of dissent. It may be that hon. Members who were associated with the Commission did not submit as such any minutes of dissent, but only alternative proposals. Yet, I should feel that they should also have been published, so that the impression may not be created that the associate members merely nodded their heads and did nothing else.

As a matter of fact, on 18-3-54, a proposal was made with regard to the Salem district: A memorandum was submitted, stating certain principles on which it should be done. I wish in passing this Act of 1952, we had laid down not merely the procedure, but the principles on which delimitation should be done. That is very unfortunate. Evidently this Parliament thought that the statutory body will go on certain principles, certain rational grounds, which will be understood by rational men. I for one fail to see what are the principles on which these constituencies have been delimited. Whatever calculations I made—I took the population figures from here and there and added, deducted and all that—I could not derive any principle out of it; I could not make any sense

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out of it. Ultimately the only principle that I could deduce was this. I had a map of Madras and following these delimited notifications, I proceeded from Madras city itself. What the Delimitation Commission has done is just a mechanical process—start from the border of the neighbouring State, start from the northernmost border and then work up to the southernmost area upto Cape Comerin. In delimiting constituencies whether there were mountains—passable or impassable—whether there were rivers over which there were bridges or not, whether there were roads or no roads, whether the constituencies were in such a manner that voters could exercise their franchise without difficulty—all these were not the considerations before the Commission. All that they have done is that taking that map....

Shri K. K. Basu: A bold statement to make.

Shri S. V. Ramaswamy: I am telling the truth. I will prove it. This is only a mechanical process that has been done. In order to adjust the population figures, they have just added a *firka* here or subtracted a *firka* there without reference to contiguity or compactness or the convenience of the electorate in a particular constituency.

Sir, in the letter three principles were stated, and subsequently a letter was also addressed to the Tamil Nad Congress Committee. I am mentioning this to show that in amending the Act we should not merely take these principles, but I am also illustrating that these principles have not been accepted. Contrary to these, the constituencies have been delimited. This memorandum was submitted to a Member of this House who is an associate member of the Commission and I am surprised to see that there is no mention about it at all. The first principle that is stated is that as far as possible, all constituencies should be kept intact and wholesale change should not be resorted to. I am not going to repeat the several argument that my hon. friends who have preceded me have adduced. I shall only reiterate that unless there is some certainty about the constituencies, we shall not be able to keep in touch with the electorate. It is not merely territory, Sir. We are dealing with the lives and welfare of the people; we represent the people, not an area, not a geographical area. It may be that I am a Member here now and next time I may not be returned, but if there was some continuity in the constituency, whoever comes here will have a living touch with the people. All that you can do is to slice off a portion here or a portion there in order to make up that figure which has been fixed by Parliament. That has not been done. In Salem we had four single-member constituencies, Hosur, Krishnagiri, Dharmapuri and Tiruchengode. What has now been done is that three constituencies have been formed giving four seats though, as I shall presently point out, Salem district as such is entitled to five on a population basis. There was no constituency like Hosur.

It was Krishnagiri before. The name itself is changed. What is more important is that the content has been changed—Hosur, Krishnagiri and Harur. Now, the whole of Krishnagiri taluk minus one *firka* is taken over to North Arcot and tacked on to it. The constituency disappears, the talk itself goes to North Arcot which has come further south. This constituency now extends to 120 miles whereas we had a compact area before. It has lengthened out.

Shri Biswas: May I enquire of my hon. friend whether these objections which he is stating to the House—many of them may be very sound objections—had been placed before the Delimitation Commission after their proposals had been published?

Shri S. V. Ramaswamy: Yes, Sir. These were submitted to an hon. Member of this House who was an associate member of the Commission.

Shri Biswas: Were these objections placed before the Delimitation Commission? As we know, the Delimitation Commission are required under the Act to publish their proposals. Objections are invited. Those objections are submitted to them and they consider those matters. I want to know whether the objections he is stating had been placed before the Delimitation Commission in response to their public invitation of objections.

Shri S. V. Ramaswamy: These objections had been put before them by an associate member of the Commission. As such, they were his own suggestions.

Mr. Deputy-Speaker: The hon. Member evidently means that at the preliminary sitting of the Commission, when they had to formulate certain proposals and advertise them for public criticism or suggestion, representations were made by one of the associate members and principles were enunciated, but not one of them has been published or even as an alternative taken up. Nothing of the kind has been done, let alone the views expressed in the earlier stage.

Shri K. K. Basu: The minutes of dissent of all the members could be published.

Shri S. V. Ramaswamy: That is exactly my complaint. The hon. associate member of the Commission submitted his own proposal. It may be that he was not aware that it should be submitted as a minute of dissent. But it is an alternative proposal. The Commission ought to have published it.

Shri Biswas: There is also a public sitting again at which these objections are considered.

Shri S. V. Ramaswamy: True, Sir.

Mr. Deputy-Speaker: The suggestion is that the alternative proposals also must have been published. Suggestions were made on principles, not upon particular portions only—of adding or subtracting this portion or that portion. Other hon. Members have submitted their proposals by way of minutes of dissent which were added on. But in this particular case what Mr. Ramaswamy seems to say is that even though the hon. Member did not know that it should be put in as a minute of dissent, the Commission itself should have published those alternative proposals, instead of publishing only some proposals.

Shri Sarangadhar Das (Dhenkanal-West Cuttack): May I make a submission? As I understand it, when the associate members are invited and they verbally or in writing communicate some alternative proposals, those are the reactions that the Commission takes from the associate members. No member of the public is present. Then they come to a decision—whether they accept those reactions or not—and revise their proposals or keep the proposals as they were in the beginning. Thereafter they are given to the associate members and if they have any objection, they give their notes of dissent. After a certain lapse of time—two or three weeks—their final proposals with the minutes of dissent will be published and the public will be invited. Then the objections from the public, whether they agree with the Commission's proposals or with the associate members' proposals, will be considered and the report finalised.

Shri Biswas: So far as the proposals are concerned if there are any dissenting proposals from the associate members, they also should be published.

Mr. Deputy-Speaker: His complaint is that it has not been done.

Shri S. V. Ramaswamy: Yes. I will give another example in respect of Tiruchengode. There are two taluks Trichengode and Namakal. Now Namakal has been taken away and a portion of another taluk is tacked on to it. Take, for instance, Salem. Salem was a constituency. Now three more taluks are added so that the constituency covers almost half of this district—it is 150 miles long and 50 miles broad. One half of this district is constituted

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into a constituency. I shall stop this point here.

The other point is this. The integrity of a district must be maintained. A district forms the basis of all administrative actions. If you are going to distort a district, take away chunks here and chunks there and tack on some taluk with some other district. How can the election machinery itself function? How can the jurisdiction of one Collector run into the other? There will be a clash. Even for the conduct of the elections, it will be difficult, let alone the fact that our feelings are in some sense district-wise. We feel that a district is a unit for all administrative purposes, as I said, and it should not be disturbed. In that context, I submit that the whole of the Krishnagiri taluk: minus one *firka* has been tacked on to the South Arcot district. Coming down to the south, the whole of Attur taluk minus one *firka* has been tacked on to the South Aroct district. That is a grave iniquity. When after allowing a quota of seats to the district, there is a surplus of votes, that district should be given another seat when the surplus is more than half. For example, my district contains 33.71 lakhs of population. Taking it as the basis, it comes to 7.2 for each constituency. So, we are entitled to 4.6 seats in the House of the People. Of course, I am giving the exact number for the purpose of calculation. Not that a gentleman is going to be .6 here and .4 there. If you accept this principle, then, by virtue of this principle, we are entitled to five seats. If it is readjusted on the lines mentioned, we need only indent upon one lakh of population from the neighbouring district.

The fourth principle that has been stated is this. Scheduled Castes constituencies should be located in areas which have a larger percentage of Scheduled Caste voters than in the rest. Actually, in dumping a double-member constituency on Salem, which it never had, what has been done is this. Salem taluk itself has got 5,21,000 people, covering more than one-third of the area of the entire constituency which is now sought to be carved out of the district. In that constituency, the percentage of Scheduled Castes is only 7.2. Taking the over-all aspects of the constituencies, they have arrived at the figure of 15.47 per cent. for Scheduled Castes for that new constituency. Ignoring the fact that in another contiguous taluk, there is a higher percentage of Scheduled Castes, if the proposed taluks are tacked on, the percentage will be somewhere near 19. Instead of giving the constituency to a 14·47 per cent. area, they should give it to the 20 per cent area. In all these points, I would earnestly urge that we must know the principle on which the changes are based. I hope the hon. Law Minister will find out what is the basis, what is the principle, under which they have arrived at these changes. I may be mistaken, and they may be working out the constituencies in whatever manner they may like. But we are entitled to know the principles. It cannot be their caprice. It cannot be their own whims and fancies. There must be a rational understanding of the Act. There must be some principles which all of us—even the men in the street—can understand. I would request the hon. Minister to let us know the principles by which the Delimitation Commission has been guided.

Shri Matthen (Thiruvellah): I just want to say a few words as to the reaction of my poor State to the proposals of the Delimitation Commission. I entirely agree with my friend, Dr. Krishnaswami, when he stated that it was not a redrawing of the constituencies but a readjustment that was expected of the Delimitation Commission. What was done in my State is actually a redrawing of the constituencies. My friend. Mr. Velayudhan has dealt with it, but I can tell you a word about my own constituency. It is known as Thirruvellah constituency. A major part of the Thiruvellah taluk has been taken away. The adjoining area has also been taken away, to distant places. I cannot understand the logic of it. Even the municipal limits of Kalluppara area which is adjoining the municipal limits of Thiruvellah has been taken away. I cannot understand the purpose behind this change.

My friend, Mr. Raghuramaiah said there was no personal factor in this affair, but I am not quite sure of it, because, from the original proposals, redical changes were made. In fact, the representations made by the people of the Congress Party or the Congress Government were ignored. Of course I cannot say why it was done, but it is quite possible that the learned Chairman of the Commission has no kind recollections of my state. In any case, the impression left in my mind is that it has been very unfair to the Congress side.

Shri Sarangadhar Das: May I know if the hon. Member means that the Congress Party was consulted by the Commission, or, without their invitation the Congress Party gave some proposals before the Commission?

Mr. Deputy-Speaker: Everybody is entitled to give a proposal.

Shri Matthen: The Congress Government had given some proposals which were absolutely ignored.

Shri Biswas: That shows the independence of the Commission.

Shri Matthen: Yes; that shows their independence. They are good boys. That is exactly my complaint. That is why I said I cannot agree with Mr. Raghuramaiah that there is no personal factor in this.

Let me take one instance, namely, the Divicolam-Peermade constituency. That is our Plantation area where tea is grown. In fact, the distance by a good road between Devicolam and Peermade is about 165 miles. I am talking of the Assembly constituency, not the Parliamentary constituency. But by a new road, through the reserved forests, the distance is about 65 miles. The proposal of some of the associate members from the State was to divide this area into two. But the Commission has made it a joint constituency. Now,—let me not be misunderstood—you must have been aware of the agitation of the Tamilnad Congress there. If it were two constituencies, it would have been quite possible, or probable, that Peermade could have a non-Tamilnad candidate. But by joining the constituencies into one, the result is otherwise. Of course, I am sorry to tell you this, and it is not a pleasant task to tell you this.

Mr. Deputy-Speaker: Does the hon. Member say that as much representation to the people must be given, as possible, and one State should not be made to lose and another State take the advantage?

Shri Matthen: That is my point. The worst part of it is, even though the provisional proposal was to make it two, it was rumoured, before the Commission actually came to Travancore-Cochin, that it will be a double-member constituency. It was done so. I do not know whether any other factor was involved in it. But I am telling you the facts.

Shri A. M. Thomas: Was there any proposal by any associate member to have them combined into one constituency?

Shri Matthen: I am not aware of any such proposal. In fact, the associate members wanted to make it into two constituencies, and I think it was made a double-constituency. But it was rumoured, even before the Commission visited Travancore-Cochin, that it was going to be made a double-constituency.

Shri Velayudhan: Previously also, it was a double-constituency.

Shri Matthen: Yes, provisionally, it was so. I already stated that the distance by road between the two places is about 160 miles. I entirely agree that something ought to be done to do some justice, at least regarding my State.

Shri Punnoose: Sir, I have not much to say except to make a few general observations. When Mr. Ramaswamy speaks from there or Mr. Matthen speaks from here, much of what is said is not understood by many. I could understand Mr. Matthen speaking about Deviculam and Peermade but when Mr. Ramaswamy makes out a case for placing this area there or that area here, it makes no meaning to me. I do not know the areas and such discussions on the issue in the House will not be very much profitable. I do not say that the Commission has not committed any mistakes at all. It is quite possible, when a Commission has to go into such details and has to do such a big job, and naturally when various interests are concerned, it might commit a few mistakes. The only question is what exactly can be done and what is the alternative.

Sir, I have heard a story of a chicken taking it into its head that the sky was falling. It took fright and ran and so many other chicken also followed. A fox which was there showed them the way to its own den with the result that none of them returned. When Mr. Velayudhan made a suggestion that all the proposals of the Commission should be placed before the Parliament, my friend Mr. Raghuramaiah was good enough to support it. I am against it.

An Hon. Member: You are against it?

Shri S. V. Ramaswamy: Do you not know that there was a provision like this in the Act of 1950, section 13(3), that these proposals shall be placed before Parliament as soon as may be after its meeting and shall be subject to such modifications as Parliament may make on a motion made within 20 days?

Can we not have it back?

Shri Biswas: May I remind my hon. friend that that was debated at considerable length when this Bill became law and it was purposely, and after deliberation, decided that we shall scrap the old procedure which had led to a lot of gerrymandering?

Shri Velayudhan: There was no gerrymandering then.

Shri Punnoose: I do not question the sagacity of Parliament. We know the position of the Government. We know we have party governments and we know what things happen in Parliament. I am quite sure that all the decisions will go in favour of a particular party.

Shri Velayudhan: Is he prepared to leave everything to the Commission without bringing anything to Parilament?

Shri Punnoose: It does not mean that we shall not discuss anything at all. Certainly when there is some miscarriage and certain issues have to be thrashed out in the Parliament. We can do so. I can fully understand it. Dr. Lanka Sundaram was saying that a District Magistrate was not consulted and Mr. Matthen was saying that the proposals of the Travancore-Cochin Government were rejected. It is no secret, Sir, that we on this side of the House, the communists and other leftists in Travancore-Cochin were awfully worried at that time about the proposals referred to by Mr. Matthen. What we were afraid was that the proposals submitted by the Travancore-Cochin Government would be accepted *in toto*. That would have placed us in a very disadvantageous position. Mr. Matthen says that he is sorry that his Government's proposals were rejected. We are happy.

Shri Matthen: What about Thiruvellah?

Shri Velayudhan: We do not say that the State Government's proposals should be accepted. Let those proposals be brought before Parliament and let us discuss and decide them here.

Mr. Deputy-Speaker: The hon. Member has had his say. Mr. Punnoose says this ought not to be brought before Parliament. There can be two views about it.

Shri Punnoose: In 1948 we had our general election in Travancore-Cochin and Mr. Matthen was not a Congressman at that time.

Shri Matthen: Long before that I was a Congressman.

Shri Punnoose: There were eminent Congressmen of our State on the then Delimitation Commission. The result was that the constituencies were so carved out not only the Communist Party but no leftist party could get a single seat. If you now go to Travancore-Cochin you will hear complaints about present arrangements from the leftists also. There are instances where you get complaints that this place has been taken over from this constituency and put in that constituency and all that. But, on the whole, by and large, is it fair or not? That is the real question.

I had an occasion to appear before the Commission. Mr. Thomas was there on the Commission. So many eminent Congressmen were there. If he was very anxious about his constituency, Mr. Matthen should have gone there. It was not a secret meeting. The public were invited and the papers published the news. I went there and so many others too.

Shri Matthen: You suggested about the Thiruvellah constituency?

An Hon. Member: His suggestions were ignored.

Shri M. S. Gurupadaswamy: I happened to be......

Mr. Deputy-Speaker: The hon. Member may have his time.

Shri Punnoose: We heard a complaint from Dr. Lanka Sundaram about the Commission refusing to postpone a Committee meeting. If it was not acceded to, it was bad.

There is another side of it. The commission will have a series of problems to face. Let us not be led away by prejudices. I would request the Members to place their views before the Commission in regard to the delimitation of constituencies and get them corrected. Why not that be done?

I must say a word about the Deviculam-Peermade constituency which case was made out by Mr. Matthen. It is a plantation area, as he said. There the majority of the workers belong to Tamil Nad. They have come there for work. The original proposal was that Deviculam may be tacked on to a Malayali majority area down below and made a double-member constituency. So also, Peermade was tacked on to another Malayali majority area down below and made another double-member constituency.

Shri S. V. Ramaswamy: It does not make sense.

Shri Punnoose: Naturally, I do not expect it from you.

Shri Kottukappally (Meenachil): That was for the purpose of easy communication. One place is 30 miles and the other is 160 miles.

Shri Punnoose: The result was that if elections had been conducted with those constituencies, it was almost sure that the Tamilians would not have been able to return a member of their choice.

Shri A. M. Thomas: Does he mean to say that the constituency was to be demarcated with a view to give guarantees for representation to the Tamilians? It comes to that.

Shri Punnoose: That question should be asked of the Commission, not of me. To me it would appear that it is highly unfair to make it impossible for a large section of people to get themselves elected.

Shri Kottukappally: Is Peermade a Tamil area?

Shri Punnoose: The Malayali Congressmen wanted to do this.

Shri Matthen: His statement is not correct.

Mr. Deputy-Speaker: The hon. Members have had their say; let him have his say.

Shri Punnoose: Therefore, these questions need not be gone into here. It will not serve any useful purpose discussing them now. My suggestion is that in the first place, the facts on which the Commission bases its proposals should be given to the associate members so that they may discuss these things and come to a decision.

Mr. Deputy-Speaker: The hon. Member means the principles on which they delimit.

Shri Punnoose: The Commission should be asked to place the facts and reasons when such changes are made. When the Commission makes changes they must be made known.

Mr. Deputy-Speaker: Changes means changes in existing constituencies?

Shri Punnoose: Yes, Sir. Further when there are major changes, more time should be given to the public to give their opinion, to file their objections, to place their petitions and views. Anyway, I would strongly oppose any idea of the State Governments or the Central Government being consulted and their opinion being taken in this matter. I would also request Parliament not to take upon itself the responsibility of examining all the proposals and then finalising them, because it will not at least add to the prestige of the Parliament.

Shri Gidwani (Thana): I may be excused for saying that from my experience as an associate member of the Delimitation Commission for Bombay State I have felt that the associate members are being treated as urchins.

Mr. Deputy-Speaker: The contagion seems to be spreading, so far as 'urchins' are concerned!

Shri Gidwani: We, Members belonging to the Opposition, as well as of the Congress Party in Bombay State gave our proposals regarding the number of seats to be allotted to the State. Our recommendations were rejected, though they were unanimous. That is one thing.

The other thing is this. There was an announcement in the Press that the Delimitation Commission was sitting to hear objections regarding the same. I was an associate member of the Delimitation Commission, but I had no knowledge of it. We had it only from the Press. As soon as I read it I issued a Press statement which I shall read out to you:

> "I am extremely surprised to read the Press announcement regarding the holding of public sittings of the Delimitation Commission on 7th July 1953 at Calcutta and on 10th July at Delhi to hear the objections and sugtions of people of a number of States with regard to their proposals about the number of seats to be allotted in the House of the People and the State Legislative Assemblies of those State.
>
> The Commission has invited people from West Bengal, Assam, Bihar and Orissa and Calcutta on the 7th July, and from as many as 13 States of Rajasthan, Himachal Pradesh, Uttar Pradesh, Punjab, PEPSU, Delhi, Ajmer, Madhya Bharat, Vindhya Pradesh,

Bhopal, Madhya Pradesh, Saurashtra and Bombay at Delhi on the 10th July for the purpose.

I would like to inquire from the members of the Commission as to how it would be possible for people from various States to undertake long journeys and incur heavy expenses to offer any suggestions or raise any objections with regard to their proposals. If the Commission is really desirous of hearing their views surely this is not the method of achieving that object.

What about the associate members of the Commission from the various States? It seems that the Commission has no intention of inviting them to be present at the above public sittings.

With due respect to the members of the Commission I am of the opinion that this will be reducing the whole procedure to a farce and defeating the very purpose for which this provision was made in the Delimitation Act."

Of course I got a reply from the Secretary of the Delimitation Commission, and, if you like, in fairness to them, I shall read that also and then I shall offer my remarks:

"The Commission has seen your Press statement regarding the proposed public sittings of the Delimitation Commission at Calcutta and Delhi, wherein you have expressed surprise as to how the Delimitation Commission could have invited people from four States, West Bengal, Assam, Bihar and Orissa at Calcutta on July 7th and from as many as 13 States at Delhi on July 10th for the purpose of hearing the objections and suggestions. The Commission would have been very glad to explain the position to you if, in your capacity as an associate member of the Commission, you had written to it direct.

According to clause (c) of sub-section (3) of section 8 of the Delimitation Commission Act, 1952, only those objections and suggestions which have been received by the Commission before the 3rd June, 1953, the date specified by it under clause (b) of that sub-section, have to be considered at the public sittings. No suggestion or objection has been received by the Commission in respect of its proposals relating to Bombay, Madhya Pradesh, Orissa, Punjab, Patiala and East Punjab States Union, Ajmer and Bhopal. A few objections and suggestions have been received in respect of the Commission's proposals relating to Assam, Bihar, Uttar Pradesh, Madhya Bharat, Rajasthan and Saurashtra, but there is hardly any substance in any of them and some are contrary to the provisions of the Constitution and the law. The Commission has, therefore, decided that it is not necessary to consider these at a public sitting in the particular States.

Constructive suggestions and material objections have been received only in respect of the Commission's proposals relating to West Bengal and Delhi. In these two cases the Commission has decided to consider those suggestions and objections at a public sitting at Calcutta and Delhi respectively along with the associate members from those States. If the Commission's experience of its public sitting at Bangalore is any guide, it will be safe to assume that even with this seemingly crowded programme the Commission will not have a full day's work either at Calcutta or at Delhi.

The Commission considers that it will be a waste of public money

[Shri Gidwani]

> to hold a public sitting even in a State from which no objection or suggestion in respect of the Commission's proposals relating to that State has been received.
>
> If you wish to have any further information, the Commission will be ready to furnish the same."

12 NOON

They say that objections and suggestions have been received in respect of Assam, Bihar, Uttar Pradesh, Madhya Bharat, Rajasthan and Saurashtra, but there is hardly any substance in any of them. But I wish to know why the associate members were not associated before deciding whether there was any substance in the objections and before coming to the decision that the sittings should not be called in those States and that the people of those States should be invited to Delhi.

Besides that, you are aware that in India all the people do not read papers. And particularly just one announcement in the Press is not sufficient information for the people.

Mr Deputy-Speaker: Is it optional for them to take the advice of the associate members?

An Hon. Member: The advice is not binding.

Mr. Deputy-Speaker: It is one thing to say it is not binding and another thing to say they may or may not consult.

Shri A. M. Thomas: They have no option.

Mr. Deputy-Speaker: So consulting may not be optional and may be compulsory, but acting on the advice may be optional. If that is so, according to the hon. Member Shri Gidwani it does not appear that even consultation of the associate members has been done, and without consulting them decisions appear to have been taken that the suggestions are all useless and cannot be accepted.

Shri Gidwani: That is exactly my point, Sir.

Pandit Thakur Das Bhargava: I understand that the criticism of the public was in the shape of objections made against the published proposals and objections were decided in the presence of the associate members. Ultimately at the time of actual decision they were reconsulted.

Mr. Deputy-Speaker: What the hon. Member said does not refer to every State. He was speaking about a particular State.

Shri Altekar: So far as associate members are concerned, clause (4) of section 5 of the Delimitation Commission Act says that "none of the associate members shall have a right to vote or to sign any decision of the Commission". That necessarily means that they will have to be consulted and that discussions will have to be made with them: only they will not be in a position to vote. That is the only restriction. Otherwise their rights must be the same as those of any other member of the Commission.

Shri Gidwani: Then my objection becomes stronger. We were not even invited, and before inviting our opinion the Commission decided that there was no substance in the suggestions and objections, and therefore they need not be called. That is my point about this matter. Of course so far as the delimitation of constituencies is concerned, that thing has not yet taken place in the State of Bombay. This is only in relation to the number of seats allotted. As I said already, our unanimous recommendations, from the Congress Party as well as from the Opposition, have been ignored and the Commission decided the question in their own way.

I do not want to go further. But I go to the root of the question. Where is the need for the Delimitation Commission functioning when the Boundary Commission has been appointed? I think it is time the Commission was wound up.

Shri Raghavachari: I have been listening to this debate and I feel one thing. Every Member has reason to feel disappointed and has some complaints. It is something like this. Each Member exists here because of his constituency. Now we have so much of an atmosphere of marriage and divorce that almost every man's constituency is divorced from him! In fact, they have now found new wives and we are asked to get on with them. I must say that they do not seem to have applied any principles because no principles were laid down in the Act to be followed.

Mr. Deputy-Speaker: Do the new brides reconcile themselves to the changed conditions?

Shri Raghavachari: Unfortunately they are not new brides; they are all old wives. Now, I come from a constituency, which was a part of a district. They have merged the other part of the district with my old constituency, put them together and have said that this is a double member constituency. Reservation for Schduled Castes has been given to Anantpur District. If you ask them why they brought it here they will say that those communities are concentrated there. May be, it was to relieve a double constituency in Chittor District which now becomes a single constituency. Not only that. Take the case of Assembly constituencies in Anantpur. I know from previous experience that reservation for Harijans was first given to Anantpur and Kalyandrug. Some members felt that it would be inconvenient for them and they substituted in place of Anantpur Gooty; yet the members who hoped to be returned were not returned. Now, what they have done is that they have tacked on Kalyandrug to Dharmavaram for this reservation. I have examined the Assembly constituencies in my district and I find that all constituencies have been changed beyond recognition. What are the principles underlying all these things which they are following? It looks to me that the wishes of somebody who feels that it would be advantageous to him, are being followed. I can understand the local or State Governments being interested one way or the other; but what about the Election Commission? The Commissioner himself is a member of the Commission. He must have had some idea of the meaning of the word 'readjustment'. Is it that the identity of the old constituency must be so changed that it would be difficult for anyone to recognise the constituency from which he came? I am speaking only in a general way—I may not care to stand for the next election, that is another matter. But, my constituency is added on with some other constituency and we are asked to seek election from the whole district and a part of the other district also. How is it possible? The proposed constituency is nearly some 200 miles this way and 200 miles that way. Therefore, the unfortunate thing is, when particular constituencies which have elected their representatives are this way touched, naturally every Member gets dissatisfied. They come and say that the principles have not been defined in the Act. Even the Associate members also say: "we have been neglected; we are treated as urchins" and so on. Therefore, it seems to me that there has been justifiable dissatisfaction on all quarters.

One other thing I want to say is that the Law Minister said that these details have not been given to him earlier and therefore he cannot answer the points. My point is the whole thing is in his records; the plan about the constituencies etc. He has to take the facts and figures and

[Shri Raghavachari]

frame the proposals. The Law Minister says that the other members of the Delimitation Commission are not here: Are their personal views necessary...?

Shri Biswas: The hon. Member thinks that the Law Minister within the few hours that were available to him should have read the preliminary proposals in respect of these constituencies and the final proposals. You have to match one with the other, compare them, consider what was the state of things before this and what is the state of things now in existence, which constituency must be cut, changed and so on. If these things are going to be discussed here, naturally I should like to have time to examine the proposals.

Shri A. M. Thomas: It will be sufficient before the next election.

Shri Raghavachari: The Law Minister said that the other members of the Delimitation Commission are not here: I am only referring to that. His records are here; the Election Commission is in possession of those things; the principles which are not followed are mentioned here: take a day—24 hours; then you have a big staff, consider all points and then answer the problem as to whether this can or cannot be done. Anybody who listens to the kind of debate......

Shri Biswas: I have never been to this area: that is the difficulty.

Shri Raghavachari: I am sorry, no member of the Government is expected to decide matters only on personal knowledge by local inspection. I would say, it is impossible.

Mr. Deputy-Speaker: Evidently the hon. Member and the other Members who have spoken do not want the hon. Law Minister to go into the details of each constituency. These seem to be illustrations of the main principle that the original delimitation which is already there and on which hon. Members have come to this House during the last election, has been completely changed.

Shri Biswas: I can quite understand that point. As I said before that involves a question of interpretation of the Constitution and as to what procedure should be followed. I am in a position to answer that. But, if you go into details as to what has happened here, what has happened there, how this has been demarcated, whether this has been cut into two or three and so on, it is impossible for me to reply without getting sufficient time to study these things.

Shri Raghuramaiah: I do not understand how a general principle can be stated and supported except by a reference to particular details.

An Hon. Member: How to know whether the illustrations are fully applicable or not?

Mr. Deputy-Speaker: Hon. Members are giving illustrations. of course some may be correct and some may not be correct, but they are all intended for the purpose of illustrating the principle. Therefore, in this case the original delimitation has not been taken as the basis and some adjustment made but an entire overhaul has been done as if it is for the first time that the constituencies are being created. Therefore, hon. Members are afraid as to what will happen in the next election. There can be no certainty for any Member of his constituency, so much so Shri Raghavachari goes to the length of saying that there is no certainty having regard to the divorce question.

Shri Biswas: The changes of which he complains might be inevitable in the circumstances, and so they were bound to come.

Shri Raghavachari: We expect that a Member of Parliament must have some intimate contact with the people, with the human beings of his constituency and not mountains and rivers, and if we go on changing the constituencies every day......

Shri Biswas: With regard to candidates for Parliament, certainly, they would not do it.

Shri Raghavachari: The new constituencies are so formed that the 'nose' of this constituency and the 'hand' of the other constituency are joined together and a new person is figured out in the Tenali Rama's way of saying "the tail is on this wall and the rest is on the other wall". These are the kind of constituencies that are being formed. Therefore, there appears to be no principle and there has been universal dissatisfaction. Because you have changed the constituencies of all, almost every individual that gets up has some sort of criticism against the method of their new formation.

Shri Biswas: Universal dissatisfaction is felt only after so many months have passed and after the Delimitation Commission has completed its labours as regards, I believe, 10 such States. After that two elections have been held in Travancore-Cochin and PEPSU.

Shri A. M. Thomas: No, no. Only one.

Shri Raghavachari: This is the only occasion when the matter comes before the Parliament, for us to voice the protest against the irregular way in which the matter is being conducted. In the papers, in the press, in almost every district and provincial papers these things have already been expressed. It is not correct to say that these things have not been voiced at all. This is the only occasion when the Law Minister's and the Commissioner's attention can be drawn to the necessity of following certain well-laid principles for readjustment and that readjustment does not mean creating a new constituency altogether.

Mr. Deputy-Speaker: Shri Naval Prabhakar.

Shri Ganpati Ram *rose* —

Mr. Deputy-Speaker: The hon. Member has not given me a chit.

An Hon. Member: Delhi should get a chance now.

Mr. Deputy-Speaker: Hon. Members, whoever wanted to take part must have sent me a chit. Shri Naval Prabhakar has sent me a chit and therefore I have called upon him.

श्री नवल प्रभाकर (बाह्य दिल्ली–रक्षित–अनुसूचित जातियां) : उपाध्यक्ष जी, मुझे डिलिमिटेशन कमीशन का कटु अनुभव है और उसके सम्बन्ध में मैं कुछ बातें बतलाना चाहता हूं ।

दिल्ली राज्य विधान सभा की कांस्टीटुएंसीज के सम्बन्ध में मैं एक मिसाल दे कर आपको बतलाना चाहता हूं कि देवनगर पहले एक डबल मेम्बर कांस्टीटुएंसी थी, उसके अन्दर हरिजनों का बहुमत था, लेकिन उस कांस्टीटुएंसी को इस तरह से तोड़ दिया गया और उसके अन्दर एक म्युनिसिपल वार्ड ऐसा मिला दिया गया जिसमें बहुत सी मामूली हरिजनों की तादाद है, जब कि इस के पहले दूसरा बराबर में जो एक वार्ड था और जिसको उन्होंने उसमें से हटा दिया, उसमें हरिजनों का बहुमत था। इसी तरह से एक सदस्य ने जब कि पबलिक मीटिंग हुई उस (पबलिक) मीटिंग के अन्दर आब्जेक्शन किया और उन्होंने एक ग्रामोण क्षेत्र के एक गांव के बारे में कहा । दिल्ली राज्य कांग्रेस के एक जिम्मेदार आदमी ने आब्जेक्शन किया तो जो चेयरमैन महोदय थे और जो एक नकशा अपने दिमाग में बना कर लाये थे उन्होंने ठीक उसी तरह से बर्ताव किया जैसे कि मैं कहूं कि दिल्ली के अन्दर यहां आये दिन चालान होते हैं और जब कोई आदमी जा कर खड़ा होता है तो उसके जाते ही उसको जर्माना सुना दिया जाता है और कोई सुनवाई नहीं होती, ठीक उसी तरह से वह उस सदस्य

[श्री नवल प्रभाकर]

से पेश आये, उन्होंने उनके आब्जेक्शन पर क्रास मार्क लगा कर कहा कि अच्छा बस अब आप चुप हो जाइये। जिस सज्जन ने आब्जेक्शन किया था उन्होंने कहा कि देखिये इसमें चुप होने की बात नहीं है। मैं अपने आब्जेक्शन के पक्ष में आर्गूमेंट देना चाहता हूं, आप उनको सुनिये और तब उस सदस्य ने उन्होंने जो एक परिधि बनाई हुई थी उस परिधि के अन्दर, उन्हीं के नियमों के अन्तर्गत बताया कि आपके इन नियमों के अन्तर्गत ही यह गांव भी इसमें शामिल हो सकता है और तब उनको उनकी बात माननी पड़ी और उस गांव को उन्होंने शामिल किया।

तो मैं कहना चाहता हूं कि इस तरह से जो कमीशन के माननीय सदस्य हैं वह अपने दिमाग में एक नकशा बना कर लाते हैं, और वही चित्र वह पब्लिक मीटिंग के अन्दर मनवा लेना चाहते हैं। मैं आपको बताना चाहता हूं कि दिल्ली के डिलिमिटेशन के सम्बन्ध में यहां की गवर्नमेंट के प्रोपोज़ल थे, यहां की कांग्रेस पार्टी के प्रोपोज़ल थे, यहां की सोशलिस्ट पार्टी के प्रोपोज़ल थे, यहां के लोगों के व्यत्तिगत प्रोपोजल थे, एम० एल० एज० और एम० पीज० के प्रोपोज़ल थे, लेकिन उनको वहां पर ठुकरा दिया गया, सभी पार्टियों के प्रोपोज़ल्स को ठुकरा दिया गया, दिल्ली के लोगों के प्रपोज़ल को भी ठुकरा दिया गया, और उनकी जगह उन्होंने जो अपनी विचार धारा बनाई थी, उस को लागू कर दिया।

मैं आपके सम्मुख यह भी बताना चाहता हूं कि पिछले दिनों जब कि होम मिनिस्ट्री के ऊपर बहस चल रही थी, मैं ने यहां इस हाउस में बताया था कि दिल्ली के अन्दर हरिजनों की जो जन संख्या है, वह गलत बताई गई है। १९५१ के अन्दर २५ बिरादरियां ऐसी थीं जिनके आंकड़े सम्मिलित नहीं किये गये।

Shri S. N. Das (Darbhanga Central): The figures have been provided by the Census Commissioner. How can the Commission change the figures?

श्री नवल प्रभाकर : सुनिये तो आप। उसके बाद मैं कमीशन के सामने गया। मैं माननीय सदस्यों को बताना चाहता हूं कि मैं कमीशन के सामने गया और गवर्नमेंट का मेमोरेन्डम दिखाया, जो कि गवर्नमेंट की अधिकृत चीज़ थी, मैं ने पेपर नं० ४ जो है उसको दिखाया और कहा कि इसमें यह खामी है। इसलिये मैं आपसे प्रार्थना करता हूं कि जब तक गवर्नमेंट सही सही आंकड़े ने दे, तब तक आप अपने इस कार्य को रोके रखिये। इसके लिये कांग्रेस कमेटी ने भी प्रार्थना की, लेकिन कमीशन के मेम्बरों ने, यह सब जानते हुये भी, कि हां, एक मेमोरेन्डम गवर्नमेंट की तरफ से आया हुआ है और उसमें इस भूल को स्वीकार भी किया गया है जो कि यहां की पापुलेशन के सम्बन्ध में है, कोई सुनवाई नहीं की। माननीय गृह मंत्री ने उस दिन हाउस में यह कहा था कि यह उनका काम नहीं है, यह डिलिमिटेशन कमीशन का काम है। लेकिन जब मैं डिलिमिटेशन कमीशन के सामने जाता हूं तो वह कहता है कि यह उसका काम नहीं है, यह गृह मंत्रालय का काम है। मेरी समझ में नहीं आता कि यह किसका काम है। जब मैं गृह मंत्रालय के पास जाता हूं कि लाइये मुझे आंकड़े दीजिये ताकि मैं भी कमीशन के पास जाऊं तो वहां पर कोई सुनवाई नहीं होती है। जब मैं डिलिमिटेशन कमीशन के सामने जाता हूं और उनको कहता हूं कि यह एक भूल हुई है और इसके लिये आप थोड़ा ठहरिये ताकि मैं इसके लिये कुछ कर सकूं, तो डिलिमिटेशन कमीशन के माननीय सदस्य मेरी बात सुनने के लिये तैयार नहीं है, वह थोड़ा सा भी ठहरने के लिये तैयार नहीं हैं।

में माननीय लॉं मिनिस्टर साहब से प्रार्थना करना चाहता हूं, एक बार में उन से मिला भी था और फिर प्रार्थना करना चाहता हूं, कि इस तरह का प्राविजन जरूर होना चाहिये कि अगर जनसंख्या के आंकड़े गलत हों तो उस अवस्था के अन्दर जितने प्रपोजल्स हों उनको रोक देना चाहिये और जब तक गवर्नमेंट किसी निर्णय पर न पहुंचे, तब तक कमीशन को अपना निर्णय नहीं देना चाहिये। जैसा अभी कुछ माननीय सदस्यों ने बताया कि जब कमीशन अंतिम निर्णय दे देता है तो उसके बाद कुछ नहीं हो पाता है। इसलिये मैं माननीय लॉं मिनिस्टर से आपके द्वारा प्रार्थना करना चाहता हूं कि वह उस डिलिमिटेशन ऐक्ट में इस तरह का प्राविजन करें कि यदि कुछ आकड़ों सम्बन्धी भूल हो तो जब तक उसका कोई निर्णय न हो जाय तब तकउसपर कोई फाइनल आर्डर न दिया जाय।

यही मेरा निवेदन है।

Some Hon. Members *rose*—

Mr. Deputy-Speaker: Shri Gurupadaswamy.

Shri Achuthan (Crangannur): I have given my name.

Mr. Deputy-Speaker: A number of names have been given.

Shri Velayudhan: He was an associate Member.

Mr. Deputy-Speaker: I have called Mr Gurupadaswamy. After him, I will call the others.

Shri M. S. Gurupadaswamy: I do not want to take much time so that other Members may speak. I want to say something which relates to my experience.

I was an associate member with the Delimitation Commission at Mysore. There, in a short period I found that this Commission did not adopt any fixed principles or any basis for the re-drawing of the constituencies. There was neither logic nor rhyme nor reason in delimiting the constituencies. That is my first complaint.

There is another complaint which is more important. That is against the Commission itself—about the behaviour of the Commission, how they behaved, in what fashion they behaved. Their behaviour created a sort of suspicion in us that it went against all impartiality or objectivity.

On an occasion when we were discussing the proposals, one member of the Commission was called by the Law Minister of Mysore for discussion. At that time we were discussing the constituency of the Law Minister of Mysore State and according to the proposals, his constituency was badly affected. It was a reasonable course, it was based on certain principles. Naturally, the Law Minister was upset and he wanted to discuss it with a member of the Commission. Some member of the Commission went to his Chamber, had a long discussion with him. And another time, he took one of the associate members aside—we were all seeing it—and he was actually canvassing: "No, no. You should not accept these proposals. Why not this way, that way." So, this sort of canvassing was being done by the Commission members. It is very unfortunate.

Shri C. R. Narasimhan (Krishnagiri): Is it proper to make such allegations?

Shri M. S. Gurupadaswamy: It is an actual fact. This is what happened.

Shri C. R. Narasimhan: I want to rise on a point of order. Is it proper in this House to make personal aspersions or allegations against members of statutory commissions composed of high judicial dignitaries?

Shri S. N. Das: And that also by an associate member who participated

[Shri S. N. Das]

in it? We do not know what suggestions were made by him and not accepted. The members who were associated with the Commission were interested in a way and some of them can stand up and make charges against the members who constituted the Commission.

Mr. Deputy-Speaker: A point of order has been raised. With respect to high dignitaries and their personal conduct—of course, this impeaches their credit, their impartiality—there is a way of removing them. Except in that case, these matters might not be referred to. There is only an assertion. Those five members of the Commission are not here to justify their stand. It will otherwise become only one-sided. Under the rules of this House it is said high dignitaries can be removed only in a particular manner and notice has to be given about particular points which are not of a general nature relating to principles, but going against their conduct and credit. I would therefore suggest since the member of the Commission is here to answer...

Shri M. S. Gurupadaswamy: I am not referring to any paticular member by name.

Mr. Deputy-Speaker: Even then, the whole Commission is impeached.

Shri S. S. More: May I bring to your notice that we had criticised the Industrial Finance Corporation, which is also a statutory body? Not only that. Certain allegations were made and Government were pleased to appoint a committee to go into it. If, every time it is expected dignitaries who are members of the bureaucracy also should be here, it is impossible to have any discussion under the rules.

Shri C. R. Narasimhan: I want to know your advice whether it should be expunged or not.

Mr. Deputy-Speaker: I have not yet come to a conclusion.

Shri Bhagwat Jha Azad (Purnea *cum* Santal Parganas): As you have given your opinion on this point, we would like to know one thing. What is the redress for a Member, who is associated with some commission, and who, in the course of his actual working with the commission, finds that there are some difficulties and that there are certain novel procedures which are being adopted by that commission? Is not the Member entitled to speak in this House on that point, without naming the member of the commission?

Mr. Deputy-Speaker: I agree that it is a very difficult matter, when particularly a Member who is associated with a commission finds that the other members of the commission are not giving or taking that kind of a co-operation which they should. But in all these matters, I may refer to the inconvenience that arises. Even on a prior occasion, in regard to the Industrial Finance Corporation, I remember to have said that prior notice may be given,—not notice of twenty-four hours, or two days or one month, but some notice—and the hon. Minister put in possession of this information, so that he may gather information and say whether it is true or not, and state the other side of the picture. Otherwise, it will only be one-sided accusation. It may be that there may be justifiable ground for acting in a particular manner, or the infomation itself may not be quite correct or accurate. If only one side is represented, but not the other side, then we would not be doing justice to the case. Under these circumstances, I would suggest, that not only now, but hereafter also, whichever hon. Member wants to raise any point in regard to dereliction of duty or bad conduct on the part of a member of any particular statutory body or any high official, shall inform Government in advance, so that Government may come prepared to answer the points. That is under the rules themselves.

Shri S. S. More: If we make any speech here, we are privileged, but supposing, we write to Government, as you suggest...

Mr. Deputy-Speaker: Through the Secretary here, give it.

Shri S. S. More: Even then, the point will be whether we will be protected, so far as defamation is concerned. That is our difficulty, and this is a matter which will have to be explored.

Shri Velayudhan: In the course of your clarification, you said that the members of the Commission are high dignitaries. I would very humbly suggest that there are no high dignitaries in India. Even the President cannot be called a high dignitary. (*Interruptions*).

Sardar A. S. Saigal: There are.

Shri C. R Narasimhan: High authorities.

Shri Velayudhan: We are not in an empire.

Mr. Deputy-Speaker: Hon. Members may leave it at that.

Shri M. S. Gurupadaswamy: I now come to my next point. I do not want to go into this point any further. My next point is this. The Commission said at one stage that if there is unanimity on any particular constituency, if the public and the associate members are all agreed on any particular proposal for delimitation, then they would adopt that proposal.

Mr. Deputy-Speaker: Let me clarify the position. Am I to understand that the hon. Minister does not intend to intervene today?

Shri Biswas: On this? I am not in a position to reply today.

Mr. Deputy-Speaker: I have heard it said by the hon. Minister of Parliamentary Affairs several times, that if, in the normal course, the work is not completed, but is postponed to the afternoon, very often he finds it difficult to have quorum, and therefore, he would not take the responsibility. If the hon. Minister wants to have his right of reply tomorrow afternoon, who is to be responsible for the quorum?

Shri Velayudhan: He will be responsible. (*Interruptions*)

Shri Biswas: I should be quite prepared to come in the evening and give my reply.

Mr. Deputy-Speaker: That is true. But I can sit here only when there is a quorum.

Shri Biswas: Quite so, but I cannot undertake to provide a quorum.

Mr. Deputy-Speaker: Therefore, I shall call upon the hon. Minister to reply now. But my difficulty is this. I have no objection to give an opportunity to the hon. Minister to reply tomorrow. But since tomorrow morning is intended for the Salaries and Allowances of Members of Parliament Bill, this can come up only in the afternoon. I find that the hon. Minister of Parliamentary Affairs is just here. He can settle the issue.

An Hon. Member: The written reply may be circulated. (*Interruptions*)

Mr. Deputy-Speaker: I shall now call upon the hon. Minister to reply, and he can say what he wants. If he says anything regarding adjournment, I shall consider. If he wants to reply now, he can reply, or if he wants adjournment, we shall have to consider it. (*Interruptions*)

Shri Sarangadhar Das: Two minutes for me.

Shri Damodara Menon (Kozhikode) *rose*—

श्री गणपति राम : यू० पी० के किसी सदस्य को अपना केस रिप्रेज़ेंट करने का मौका नहीं मिला है ।

Mr. Deputy-Speaker: Order, order.

Shri Biswas: At a much earlier stage in the debate, I had asked for time, if I were to make a reply to all the various points which have been raised on the floor of the House.

So if I have to reply now, it will be in very general terms.

Mr. Deputy-Speaker: Let the hon. Minister not be under the impression that I am not going to allow time. I am prepared and the House is also willing to hear him by way of reply. But tomorrow there is the Salaries Bill—it has to be passed. The other people wanted to have this discussion concluded before the 17th. So let there be no misunderstanding about this matter. Unless the Government are willing to allot or ask for, a particular day or time when they will be ready with quorum, I am not prepared to adjourn this to any other day. Now there is time and the hon. Minister can reply. But if he wants to do it tomorrow afternoon, as he has suggested to me, the responsibility for getting the quorum is entirely upon him and the Government. (*Interruptions*)

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): The House is aware that tomorrow is a half-day, it being a non-official day for Resolutions. So we have got 1½ hours for official business. Tomorrow the Salaries Bill is going to be considered by the House; it is more or less a non-official Bill. According to the decision of the Business Advisory Committee two hours were allotted to it and the House also stands committed to it. We can just finish the official Bill and then take this up. But the difficulty....

Mr. Deputy-Speaker: The hon. Law Minister says it will be in the afternoon.

Shri Satya Narayan Sinha: There are only two alternatives. Either out of these 2½ hours which will be left for non-official business, half an hour or 15 minutes might be taken for the hon. Law Minister to reply, or if that is not agreeable to the majority of the Members of this House, the next alternative will be that we have to sit on a day in the afternoon before the 17th and finish it. In that case, we might sit in the afternoon for half an hour or so and we shall try to have the quorum.

Shri Radhelal Vyas: There is one more alternative. We may do away with the question hour one day.

Mr. Deputy-Speaker: I am not going to do that.

Shri L. N. Mishra (Darbhanga *cum* Bhagalpur): We must have the question hour.

Mr. Deputy-Speaker: Tomorrow afternoon we may sit at 4 p.m.

Shri Satya Naryan Sinha: May I suggest that instead of 4 p.m. it be 5 p.m.? If hon. Members are willing, they might come for half an hour and then go.

Mr. Deputy-Speaker: How long does the Minister expect to take tomorrow?

Shri Biswas: About half an hour or three quarters of an hour.

Mr. Deputy-Speaker: At the most one hour. Regarding the Hindu Marriage and Divorce Bill. I will call upon the hon. Minister at 12.45 to reply.

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): There is one other item before us—a formal item.

Mr. Deputy-Speaker: Very well.

Shri M S. Gurupadaswamy: The Commission framed the proposals and placed those proposals before us. We discussed those proposals and published those proposals for eliciting public opinion. It was intended that public opinion should be invited on those proposals, and we were also informed. But this is what happened. In cases where there was absolute unanimity among the public and among the associate members and even after the Commission had agreed before us that they had no objection and they completely agreed with the associate members and the public, they came back to Delhi and issued the final order of delimitation, changing all these things. So I want to know for what purpose public opinion was taken.

Mr. Deputy-Speaker: Do they not keep minutes of the proceedings of the meetings?

Shri M. S. Gurupadaswamy: There are minutes. There is mention that there was unanimity of opinion both among the public, and among the associate members about certain proposals regarding constituencies. Still, at the time of passing the final orders, they have changed and disfigured the constituencies. I wrote a letter to them asking them why they have done so in one particular case and why they have done such and such a thing in another particular case. Then they replied: "We do not want to assign reasons. The Commission has thought it fit to change." That is the reason they have given to me. Then, for what purpose was the public called for? For what purpose were the associate members invited? What was the use of it? The whole thing became farcical. The Commission acted in a fashion which created in our mind the impression that it has not acted democratically, responsibly and to the satisfaction of all the associate members and to the satisfaction of the public. So, finally, I say that the final orders which they have passed in respect of certain States should be reopened again. The whole matter should be reopened and it should be discussed once again. For this purpose, we want the amendment of this Act. A Parliamentary Committee consisting of all the party leaders may be constituted for this purpose and the whole matter should be discussed by them *de novo*. The final orders passed by the Commission should be entirely reviewed by the Parliamentary Commission. I again emphasise that a Parliamentary Commission should be established and an amendment should be moved for this purpose. Unless this is done, I think we cannot accept the proposals of the Delimitation Commission, as the orders issued by them are not fair and impartial. I say that the Delimitation Commission have not done their work properly and fairly.

Shri Ganpati Ram *rose*—

Mr. Deputy-Speaker: How can the hon. Member claim a right? If I do not call him, he cannot stand up and speak. Again and again, I have been noticing this. It is only just now that he handed over a slip. Am I to follow the rules or merely be guided by the hon. Member, merely because he talks loud?

Shri Damodara Menon: The purpose of the debate, as I understand, is to invite the attention of the Delimitation Commission to some of the suggestions and views of the Members regarding the way in which they are to do their work or on the work that has been done so far, and also to invite the attention of the Law Minister to the necessity of bringing these matters before the attention of the Commission.

Regarding the delimitation orders which have been finalised, probably the only remedy is by an amendment of the Act or by a fresh Bill to change them. But my proposition is this. Regarding those delimitation proposals which are tentative, those which have already been placed before the public, I have to suggest that the hon. Minister must bring this matter before the Commission that more time must be given to us. As has been said now, 17th May is

[Shri Damodara Menon]

the last date. Most of the Members of Parliament are here. It may not be possible for us to go to Madras before the 17th and place before the Commission our views, because, this is a matter in which not only our objections must be submitted to the Commission but we must also submit before them positive alternate proposals. All that requires time, and my suggestion, therefore, is that the Minister must see that the Commission extends the time for inviting public opinion in this matter.

It has been already pointed out that the proposal regarding Madras State requires a lot of amendments. I come from Malabar. In that district, I say that the Commission's proposals, the tentative proposals, require a lot of amendments. They have been done in a haphazard manner. Some constituencies have been totally mutilated. I come from the Kozhikoda constituency. It has been mutilated beyond recognition. More than half of that constituency has been added to the Ernad taluk and another portion has been added to another taluk, with the result that the present constituency has ceased to exist. In doing so, the Commission has not given proper consideration to such matters as geographical contiguity and all those factors which are mentioned in the Act itself. Section 8(e) of the Delimitation Act says:

> "(e) all constituencies shall, as far as practicable, consist of geographically compact areas, and in delimiting them, regard shall be had to physical features, existing boundaries of administrative units, facilities of communication and public convenience:"

I want to bring one instance to the notice of the hon. Minister. Wyanad is a hilly taluk and to that Nadapuram, an area in the Kurumbarnad taluk is added. If we look at the map of Malabar, probably, they will appear as geographically contiguous areas but they are divided by impassable mountains and if one is to reach Wyanad from Nadapuram one will have to go to Calicut or to Tellicherry and then go by another route. Actually, there is no geographical contiguity.

I wish to bring to the notice of the Commission another matter. A reference was made by Shri Velayudhan to that. Previously, in Malabar one seat was allotted to the scheduled castes. Now, that has been taken away. The number of seats in the Malabar district has been raised from six to seven. In spite of that, the seat for the Scheduled Castes has been taken away; that is injustice done to them You will find in the Act that in reserving a seat, it has been specifically stated that care should be taken to distribute the reserved seats in different areas of the State. The Malabar coast is a particular linguistic area. When you are taking away a seat reserved for Harijans in that State, you are really doing something which is unjustifiable. I understand that this has been given to Ramnad. When the number of seats has been raised, it was not because there has been an increase in the number of the other communities alone but also of Harijans. It is preposterous that this has been done. Therefore, especially regarding Malabar the tentative proposals of the Commission require a lot of amendment. I hope that the Minister will see his way to impress upon the Commission that they must give more time and proper facilities to Members of Parliament to place their views before the Commission.

I want to say one word more. In these matters, I agree with the other Members also that this Parliament is a supreme body and must have a final voice. But, I also feel that we should not unnecessarily interfere with the Commission. The Commission is an independent body set up by Parliament and in doing their work, we must have some faith in the way they carry on the work. If the Commission is not doing its work properly and if there are irregularities, of course, we can ventilate those grievances and see that they work properly. For that the proper forum is the Parliament. I hope the hon. Minister will take note of the views expressed here and see that the Commission adapts itself to the suggestions made on the floor of the House.

Mr. Deputy-Speaker: The hon. Minister will reply tomorrow evening at five o'clock so far as this matter is concerned.

COFFEE MARKET EXPANSION (AMENDMENT) BILL, 1952

Mr. Deputy-Speaker: The House will now take up legislative business.

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): I beg for leave to withdraw the Bill further to amend the Coffee Market Expansion Act, 1942.

The reason is merely this. The Bill has been before the House for more than a year and a half. Certain changes were necessary. But, most of these changes could be made later in the Select Committee but there will be a certain amount of procedural difficulty with regard to one particular change, namely, we have suggested that the cess that should be levied by the Coffee Board should be raised and for this we have to get the sanction of the President. So, I have obtained the sanction of the President and, if the House will permit me to withdraw the Bill, I shall be moving another Bill in which we are putting in this provision amongst others for levying a higher rate of cess for the necessary sanction has been obtained.

Mr. Deputy-Speaker: Is it annexed?

The Minister of Commerce (Shri Karmarkar): Yes; it is annexed.

Mr. Deputy-Speaker: The question is:

> "That leave be granted to withdraw the Bill further to amend the Coffee Market Expansion Act, 1942."

The motion was adopted.

COFFEE MARKET EXPANSION (AMENDMENT) BILL

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): I beg to move for leave to introduce a Bill further to amend the Coffee Market Expansion Act, 1942.

Mr. Deputy-Speaker: The question is:

> "That leave be granted to introduce a Bill further to amend the Coffee Market Expansion Act, 1942."

The motion was adopted.

Shri T. T. Krishnamachari: I introduce* the Bill.

HINDU MARRIAGE AND DIVORCE BILL—*Contd.*

Mr. Deputy-Speaker: The House will now proceed with the further consideration of the motion moved by Shri Biswas on the 10th May, 1954, in respect of the Hindu Marriage and Divorce Bill.

Shri Tek Chand (Ambala-Simla): May I make a submission? I had not quite concluded my submissions yesterday, and if I were to be given a few minutes more I will feel grateful that I may at least be able to finish my unfinished say.

Mr. Deputy-Speaker: Yesterday, it was said definitely that I will call upon the Law Minister, that all discussion regarding this Bill was over

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*Introduced with the recommendations of the President.

[Mr. Deputy-Speaker]

except for the reply of the hon. Minister. I do not intend going back on what I said.

The Minister of Law and Minority Affairs (Shri Biswas): I shall be very brief in my reply. There is only half an hour left. There are only just a few general points which I shall advert to.

I believe I have reason to be satisfied with the reception which the Bill has met with in this House. There has been, first of all, a complaint of delay in bringing this measure before Parliament. Well, Sir, I do not know if my lady friends who have made this complaint should labour this point. It is like flogging a dead horse. We have now got a horse which is very much alive and kicking. Apply your whip so that the horse may be stirred into activity, but without giving any kicks. The Bill is going to the Joint Select Committee. Try to improve the Bill in every possible way, so that it will meet the desires and expectations of hon. Members here.

After dealing with this preliminary objection, I go to the other points which were made. There was forthright opposition to the Bill, I believe, only from two hon. Members. One was from the Jan Sangh representative, Shri U. M. Trivedi. And the other was from Shri Tek Chand. If I may refer, Sir, to your attitude, I will not say it was half-hearted opposition, I will say it was half and half—probably a little less than that. Because, you supported monogamy whole-heartedly. As regards divorce, you only wanted to suspend it for five years. That was not whole-hearted opposition. So I think it was less than fifty per cent.

Let me come to the opposition like that which came from my hon. friend Shri Pande. The question was asked as to why this Bill was brought forward when there was a Special Marriage Bill. The answer is very simple. The Special Marriage Bill applies to all. It is on an all-India basis. This is a Bill for Hindus. It is quite true that Hindus will be able to marry under the Special Marriage Bill when it becomes law.

Shri Tek Chand: Get their marriages registered.

Shri C. D. Pande (Naini Tal Distt. *cum* Almora Distt.—South West *cum* Bareilly Distt.—North): A common law would have been better.

Shri Biswas: There is nothing to prevent any two Hindus marrying under the ordinary law. This Bill seeks to amend the ordinary law so as to make certain portions of it compulsory. In other respects this Hindu Marriage and Divorce Bill is optional. I shall come to that in detail presently. But, as regards monogamy, if this Bill becomes law, every Hindu marriage must be a monogamous marriage. In order mainly to secure that object, it is necessary to have a separate Bill. For that purpose I say a separate Bill is absolutely essential, and the mere fact that there is another Bill which permits marriage between two Hindus and will secure monogamy, is not enough. We want to make monogamy compulsory as a rule of law for all Hindu marriages. That is the object which I am explaining.

Shri Nand Lal Sharma (Sikar): Monogamy means one at a time?

Shri Biswas: Then comes the opposition which was voiced by my friend Sardar Hukam Singh. He said that this Bill was entirely different from the Bill which was included in the Hindu Code. That was compulsory, whereas this is permissive and that is why opposition has now subsided. If I may say so with respect, my hon. friend is mistaken. He need only refer to......

Sardar Hukam Singh (Kapurthala-Bhatinda): I said, that I welcomed it.

Shri Biswas: As a matter of fact you were trying to belittle the fact to which I drew attention. Although there was so much opposition at that stage, there is not much opposition at this stage. That is the point I am explaining. He said that that was compulsory and, therefore, there was so much opposition. If you now bring forward a compulsory measure, do you think that there will be similar opposition? This Bill is not different from the other. The word 'may' is no doubt used in clause 5. Clause 5 reads:

> "A marriage may be solemnized between any two Hindus, if the following conditions are fulfilled..

The word 'may' does not mean that it is open to two Hindus to disregard these conditions when they marry. In the other Bill there was provision for sacramental marriage and also for civil marriage, both embodied in the same code. That was the idea and therefore it was said that a marriage may be celebrated by Hindus either according to civil marriage procedure or according to the sacramental procedure. Therefore it was different in form only, otherwise it was just the same so far as the ordinary law of Hindu marriage is concerned. You will compare the provisions of the one with those of the other, and you will find that they are just the same. Therefore, this Bill retains its old character, and still the fact remains that there has not been so much opposition.

I have tried to distinguish the different kinds of opposition. With regard to the first category,—those who were opposed to this on principle, Members like Mr. Trivedi, my friend over there representing the Ram Rajya Parishad and Mr. Tek Chand......

Shri Tek Chand: Representing sanity.

Shri Biswas:...of which he has the monopoly, and I wish him all luck.—I will not make the vain attempt and try to reconcile the irreconcilable. They have their eyes and ears open, but if they choose to keep them closed I cannot help it. They will refuse to take note of the changing conditions; they will live in the dead past and they will not open the windows of their minds just to receive new light which is there.

Sir, where there is a wrong there must be a remedy. This may not be possible in every case, but where it is possible, it must be allowed. If there are cases in which people feel after marriage that they are not happy and their lives will be doomed if they live together, it will not be right to force them to live together. If there are such cases, it is just as well that the law should provide for a remedy. The cry has been raised that this will mean disruption of Hindu society. Sir, I have not such a poor idea of Hindus, Hindu society or Hindu religion. Hindus, Hindu society and Hindu religion have withstood the shock of centuries.

Shri Nand Lal Sharma: Not on account of you or these ideas.

Shri Biswas: And, neither my friend Mr. Nand Lal Sharma, nor Mr. Trivedi could weaken the vitality of Hindu society.

You, Sir, if I may say so with respect,......

Shri R. K. Chaudhuri (Gauhati): On a point of information, would the hon. Minister tell us that the question of divorce should always accompany the monogamy idea? Cannot you have monogamy without divorce?

Shri Biswas: I know that the Catholics, for instance, have monogamy, they have no divorce. I am not suggesting that you cannot have monogamy without divorce. As an abstract proposition, it may be possible. Look at the problem from the practical point of view. You are introducing monogamy for the first time

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amongst the Hindus. If that is so, it is only right and proper that you should also concede the right of divorce.

You, Sir, did not say that divorce should not be allowed at any stage. For five years:—that is what you said.

Shri R. K. Chaudhuri: Let us have five years.

Shri Biswas: Therefore, it will not do to say that there must not be divorce at all. After all, do not forget that merely because the right of divorce is recognised in this law, every wife or every husband must perforce go to the divorce court. We do not want that. We want to prevent it. It is because we want to prevent it that we are giving this right to them. It is common human experience that if you say to children, you will not have it, at once they will clamour for it. Even adults are not free from this weakness. If you give them this right, in the first flush, there may be a number of applications for divorce. Ultimately, when they know that they have got the right, they will themselves be loth to exercise that right. That is the experience in other countries. There is no reason why this should not happen also with the Hindus. From the granting of the right of divorce, it does not follow that at once you rush to the divorce court. So far as women are concerned, it is not likely that they would take such a step. After all, many of my hon. friends have suggested that unless women are able to stand upon their own legs, unless they are economically independent, they will not sacrifice their own interests by forsaking their husbands. I am quite free to admit that if a woman has some other man in view and there is a difference between her and her husband, she will go to the divorce court just to get rid of the husband. That is a different matter, otherwise, if we assume that persons will behave like normal human beings, we need not be afraid that divorce will be resorted to in a very large measure. Our ladies are educated now. We are having a larger spread of education among both men and women.

Dr. Suresh Chandra (Aurangabad): What is the percentage of education?

Shri Biswas: Higher than it was before, at any time in India's history. We want that education should be as widespread as possible. Everything cannot be achieved overnight. We have to wait. We are on the march. Therefore, I say that when our people are getting educated, they will see for themselves what has been the experience of other countries where divorce has been in force for centuries. Look at the West; look at America; look at Europe. Married life has not been happy in spite of divorce. They will see for themselves what are the things which, in spite of divorce, have not made for happy married life in those countries.

Shri Tek Chand: Divorces have made marriages unhappy there.

Shri Biswas: Therefore I say that our men and women will take a lesson from those countries and desist from going to the divorce courts if they can help it.

Shri Lokenath Mishra (Puri): Are you then going to teach them a lesson?

Shri Biswas: I want to give them a right. I do not want to deny even in a single case a right which they want.

1 P.M.

Shri Nand Lal Sharma: The right to fall into a pit.

Shri Biswas: Do you think that the divorce courts would be flooded with applications if there is this right and that our ladies would, with eyes open, jump from the frying pan into the fire? It will not be so.

Shri Lokenath Mishra: On a point of information.

Mr. Deputy-Speaker: The hon. Minister does not give way.

Shri Biswas: There are only fifteen minutes more, and if I am interrupted...

Mr. Deputy-Speaker: Let him go on uninterrupted.

Shri Biswas: I say we do not know if our ancient law-givers came back to life today, whether or not they would themselves have insisted on divorce as a rule of law. As a matter of fact, what was the state of things in those days? We know how strict the texts are, the rules of morality, the rules of chastity, of paternity, maternity and so on. And in spite of that we do find that different kinds of sonship had been recognized, different kind of marriages had been recognized. What for? Because our *shastra*-givers wanted to keep pace with the changing conditions. If they found that irregular relations were established between two persons of opposite sexes, for the sake of the children or whatever it was, they said: "Very well, let this be marriage. Let them not roam about in society as if they were untouchables." They recognized those marriages as legal marriages. Though they are not approved marriages—disapproved marriages—but still they are marriages all the same. That is the spirit in which our law-givers laid down these rules.

My hon. friend Mr. Nayar was waxing eloquent. He thinks that if he made a tirade against our ancient law-givers, that was the highest form of patriotism he could display. A little knowledge is a dangerous thing—and he was quoting texts not understanding what those texts meant. (*Interruption*) The texts were a part of an integrated system of Hindu law, Hindu religion and Hindu morality. Everyone knows, even a tyro who has read even a single page of Hindu law knows, that what is known as Hindu law was a mixture of law, morality and religion. So, merely because in some text Manu says you must marry a girl having these qualifications, it is a great mistake to pour ridicule on that and so on.

My friend Shri Tek Chand says: "If you have monogamy, if you have this divorce, an army of unwanted men, an army of unwanted women, an army of unwanted children would come into existence." Have we not got the unwanted list even today? Have we not got any number of unwanted men, any number of unwanted women, any number of unwanted children? We want to give them a legal status. If there are unwanted men, unwanted women and unwanted children, let them be persons with a legal status. That is the object.

Shri R. K. Chaudhuri: I do not want to interrupt the hon. Minister, but on a point of information, who will take charge of the divorced men, young and old?

Shri Biswas: The divorced woman will decide that for herself. As a matter of fact, if she has been guilty of conduct which will justify a divorce, that woman will have to suffer for it. There is no question of anybody taking over charge.

Shri R. K. Chaudhuri: I am speaking about the men. (*Interruption*)

Mr. Deputy-Speaker: If hon. Members will keep a little patience and there is not so much noise, the hon. Minister need not be strained to this extent to speak.

Shri Biswas: After all, what is the object of marriage?—there should be peace and harmony in the family. What will make for peace and harmony is not quarrel, friction and all sorts of things like that. On the

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other hand, if you say, separate under proper conditions, that will make for greater peace, greater happiness in the house, in the home. The question is this. You grant divorce. Much depends upon the conditions on which divorce is to be allowed. In modern Russia, the law of divorce is this. Formerly, they said, divorce by consent will be there. You have to apply for a certificate of separation, and you have to go and state that fact. Now, of course, they have abolished that and substituted a different system, and that system is this. You may divorce and separate by consent, but then you have got to go to a court. You need not specify any grounds in your petition; you merely state that you want to separate, and you place all the facts before the court, and leave it to the court to decide whether there should be a divorce or not. In coming to a decision, the court will consider what provision has been made, and whether adequate provision has been made or not, for the children. So, you see that even in Soviet Russia, they have adapted their laws according to changing conditions and needs. Why should we not do the same? We have had numerous complaints. Also, we have had a very wide demand for divorce, it may be, from a certain section of the community. I do not, for one moment, want to say that there is a universal public demand. I do not go into the question whether this was an issue in the election manifesto of the Congress. Some say, it was in the manifesto, and some say, it was not. Leaving that aside, for that does not matter now, I would like to say there has been a demand, and we must not forget the fact that the urge for reform in social matters does not always come from the whole community. It is not always mass initiative which leads to legislation of this kind. It is only the enlightened section who ask for it; it is those who have actually suffered that bring their suffering to the notice of Government or to the notice of the public. Then, the public take up the matter, and the result is law. There is nothing wrong in it. It is absolutely wrong to suggest that unless there is a universal demand, legislation should not be introduced. I am quite willing to admit that in order that social legislation may succeed, you have got to carry the community with you, and carry the country with you. That condition must be there. Well, try it, and see. I believe, in this matter, judging from recent reactions, we shall be able to carry the people at large with us. Let us try; if we fail, this law automatically becomes a dead letter, and you need not worry about it. So, give the law a dog's chance, I say, —to put the matter in the lowest possible form. Give it a chance, and if there are any improvements to be effected, the Joint Select Committee is there, and I shall leave the matter entirely free to the members of the Joint Select Committee. They can shape this legislation in any way they like. I did the same thing in connection with the Special Marriage Bill. I did the same on the floor of the other House also, and I gave them free votes, because I thought this was social legislation. They did pass certain amendments, which I did not like, and about which I was not happy. I stated that openly on the floor of the House, and incidentally I may say, that although I gave them free vote, because I also had the temerity to state my personal views, which were against the amendments which were moved, I was slandered. It is difficult to please all, or to please any on all matters.

Mr. Deputy-Speaker: The hon. Minister has yet a chance.

Shri Heda (Nizamabad): Moreover, he is representing the Government, and he is not simply a person. (*Interruptions*)

Shri Biswas: I am quite willing. The Government's view is there. It was there in the Bill as it emerged from the Select Committee. But was I not entitled to tell the House, look here, I stand by this, but this is my personal view? If anyone is attracted to my personal view, if anybody has so much respect for me, which I very much doubt, why should I object to that? (*Interruptions*)

Dr. Ram Subhag Singh (Shahabad South): We have the highest regard for you.

Shri Biswas: Merely on the theory of indissolubility of marriage under the Hindu Law, why should we deny the relief to those who ask for relief, and who deserve relief?

Sir, there is just one fact which I wish to refer to. In the ancient days, there was no law particularly in the modern or Austinian sense of the term. The texts were there, the *shastras* were there. They said:

> श्रुति: स्मृति: सदाचार: ,
> स्वस्य च प्रियम् आत्मन: ।

What are the sources of law? *Shruti* is revelation. Then *Smriti*—revelation reduced to writing. Then there is *Sadachar*—look at their vision, their foresight. In spite of the fact that divine texts were there, they said that allowance must also be made for actual customs which must not be ignored. They also say:

> स्वस्य च प्रियम् आत्मन: ।

What appeals to you should be followed. If your conscience tells you that that is the right course, you are free to follow that course of action. And mind you, these injunctions, all these dicta were laid down not as a compulsory thing. They were there and they became a part of the law in the modern sense because of the willing allegiance of millions of Hindus to these texts which were not laid down as compulsory texts. So that Hindu law was following this course of development throughout its history except when the British came. The British came and—I shall assume—for good purposes they said: 'We do not know about this. It is much better to leave the Hindus and the Muslims to be governed by their own personal law'. That gave a certain amount of rigidity and that really stereotyped the Hindu law for these two centuries. It stood in the form in which it was when the British came. Even so, owing to changing conditions, the courts could not resist, I do not say the temptation, but the necessity, of having to make some provision for these changing conditions. That is why the Privy Council decisions have made an inroad into the *mitakshara* joint family in respect of many matters. I say those days are gone; the dark days of subjection are gone. We are a free people, we can now shape the law as we please. Let us go back to the old times, let us lay down certain principles of conduct and leave it to them as free and independent sons and daughters of India, to follow the advice which we give. That is the best thing. Let us try that. I in fact heard a suggestion that we should go back to those days, scrap all these laws and leave it to our people in their own wisdom to follow the advice or injunctions which were laid down for us by our elders. That means we must have some faith, some respect for our elders, but in schools and colleges, nowadays they call their fathers old fools—a very wise thing!—not knowing that their sons will call them even greater fools!

So we have to lay down something, unless we have come to that millenium about which everybody speaks. The reason is this. We have got to make provision for abnormal cases. If men and women behave like normal beings, you do not require law. You do not require the Indian Penal Code if people do not commit offences. Because of these abnormal cases, these aberrations from the normal standards. the law has got to step in. So also in the case of marriage, because if there are cases of aberration, they have got

[Shri Biswas]

to be provided for. So long as law has got to find a place in our national economy, that has got to be provided.

Just one minute more about economic independence.

Shri C. D. Pande: He may continue tomorrow.

Shri Biswas: It is about economic independence. I will finish now. So far as Government are concerned, economic independence not merely for men but also for women is their objective. There is no doubt about it. So far as women are concerned, most of the speakers who have spoken about it think that economic independence is obtained if the daughter shares in the family inheritance. That will not do. One of the speakers pointed out that in connection with marriage, the economic independence which is desired is this: the wife must come to share with the husband the husband's property. I would also say that the husband should share the property of the wife. Both should share each others property. It is no use saying that women are the slaves of men in some places and in other places men are the slaves of women. These exaggerated statements carry us nowhere. So, we have got to take the picture as it is, with all its bright spots and with all its dark spots and try to change the outline of the picture in such a way as will conform to our accepted notions of what is right.

Pandit Thakur Das Bhargava: May I know whether efforts will be made to give practical shape to the views which the hon. Minister has given—that the husband and wife should share together the property at the time of marriage.

Shri Biswas: That is my view. In fact, I was wondering if I should not have a general law which will apply not merely to Hindus but to all, and will provide that upon marriage there should be equal distribution of property between the partners. That is in my mind. I have been thinking about it.

Mr. Deputy-Speaker: I will place this motion before the House for its acceptance or rejection. The question is:

> "That this House concurs in the recommendation of the Council of States that the House do join in the Joint Committee of the Houses on the Bill to amend and codify the law relating to marriage and divorce among Hindus and resolves that the following members of the House of the people be nominated to serve on the said Joint Committee, namely—Shri N. Keshavaiengar, Shri Gurmukh Singh Musafir, Shri Ranbir Singh Chaudhuri, Shri S. V. Ramaswamy. Shri Narendra P. Nathwani, Shri Jayantrao Ganpat Natawadkar, Shri Fulsinhji B. Dabhi. Shrimati Tarkeshwari Sinha. Pandit Dwarka Nath Tiwary, Shrimati Anasuyabai Kale, Shri H. C. Heda, Sardar Amar Singh Saigal, Shri Suriya Prashad. Shrimati Ila Palchoudhuri, Shri Nibaran Chandra Laskar, Shri T. Sanganna. Pandit Sheo Narayan Fotedar, Shri Paidi Lakshmayya, Shri Ram Sahai Tiwari, Shri Panna Lal, Shrimati Uma Nehru, Shrimati Renu Chakravartty, Shri Bijoy Chandra Das, Shri Durga Charan Banerjee, Shri V. Veeraswamy, Her Highness Rajmata Kamalendu Mati Shah, Shri B. S. Murthy, Shri K. S. Raghavachari, Shri Nand Lal Sharma and Shri Digvijaya Narain Singh."

The motion was adopted.

Mr. Deputy-Speaker: The House will now stand adjourned and meet again at 8-15 A.M. tomorrow.

The House then adjourned till Quarter Past Eight of the Clock on Friday, the 14th May, 1954.